

A NEW
HISTORY
OF
ENGLAND,

FROM THE
DESCENT of the ROMANS,
TO THE
DEMISE of his late Majesty, GEORGE II.

INSCRIBED TO
His present Majesty, GEORGE III.

By WILLIAM RIDER, A. B.
Late of *Jesus College, Oxford.*

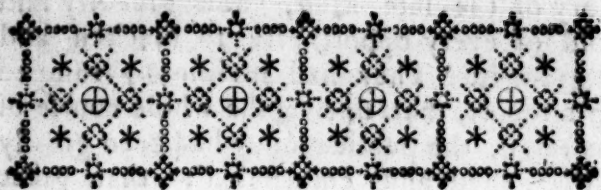
HISTORY is *philosophy teaching by examples.*
Bolingbroke from Dion. Hall.

VOL. XXXI.

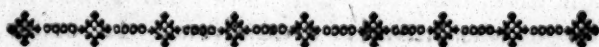
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T H E
History of ENGLAND.



The HISTORY of Queen ANNE
continued. A. D. 1702.

THE reader will probably remember, that the house of commons in the present parliament was chiefly composed of Tories. These men, under the cloak of public spirit, harboured a most rancorous and inveterate hatred to the memory

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mory of the late king, and greedily laid hold of every opportunity to blacken and disgrace it. They had invidiously trumped up a report, that, during the whole course of his reign, the public money had been grossly mismanaged and embezzled; that great sums had been distributed in feeding useless favourites, and corrupting members of parliament; and that several millions had even been transported to Holland for the private use of his majesty.

The better to support the clamour they had raised, they now appointed a committee to inquire into the matter; but great was their mortification when they found, that the charge was entirely groundless. In order, however, to keep themselves in countenance, they expelled from the house the lord Ranelagh, pay-master general to the army, on pretence of his having misapplied the public money: though they could not fix upon a single article, in which he had been guilty of fraud, or even of negligence. They likewise presented an address to her majesty, in which they attributed the national debt to the mismanagement of the funds; complained that the old methods of the exchequer had been altered; and that many acts of partiality and injustice had been committed by the commissioners of the prizes.

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At the same time, they resolved, that Charles lord Hallifax, auditor of the receipt of the exchequer, had neglected his duty, and been guilty of a breach of trust; and they even entreated the queen to order the attorney general to prosecute him for these offences; a request with which she promised to comply.

The lords, alarmed at the proceedings of the commons, which were equally unjust and ungenerous, caused strict search to be made into the public accounts; and from a careful scrutiny it appeared, that every allegation, advanced by the lower house, was absolutely false: that the national debt was owing, not to the mismanagement of the ministers, but to the deficiency of the funds, which the commons had established, and to the large sums, which they had voted, without having established any funds at all: that the late king, so far from misapplying any of the public money, had actually employed three millions of his own property in the service of the nation: and that any alterations, which had been made, in the methods of the exchequer, had been attended with no bad consequences. These facts they represented in an address to her majesty, and caused them to be published for the satisfaction of the public; and they further

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solved that Charles lord Hallifax had faithfully performed the duty of his office, and had been guilty of no neglect or breach of trust.

The commons, detested in their perfidious designs, were filled with the utmost rage and indignation. They exclaimed against the conduct of the lords with all the virulence of disappointed malice. They affirmed, that no cognizance, which the peers could take of public accounts, would enable them to supply any deficiency, or appropriate any surplussage of the public money: that they could neither acquit or condemn any person whatsoever, upon an inquiry arising originally in their own house: and that their attempt to acquit Charles lord Hallifax was unprecedented and unparliamentary.

The lords replied, that they were possessed of an undoubted right, which they would never resign, to take cognizance originally of all public accounts, and to inquire into the misapplication or mismanagement of any public money: that, in the affair of lord Hallifax, they had proceeded according to the rules of justice: that their resolution with regard to that nobleman did not amount to any judgement or acquittal; but that finding a vote of the commons reflecting
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upon a member of their house, they thought fit to give their opinion in their legislative authority. The commons, however, would listen to no arguments: they denied every assertion of the lords with equal violence and injustice; and the dispute between the two houses was like to come to a dangerous height, when the queen interrupted the quarrel by putting an end to the session on the twenty-seventh day of February.*

Though the lords had been able to defeat the pernicious designs of the commons, yet were the parties so nearly matched even in the upper house, that most of the points had been carried only by a single voice. In order, therefore, to procure a majority in both houses, the queen advanced four of the most violent Tories to the peerage. These were John Granville, created baron Granville of Potheridge in the county of Devon; Heneage Finch, baron Guernsey in the county of Southampton; Sir John Levison Gower, baron Gower of Sittenham in the county of York; and Francis Seymour Conway, youngest son of Sir Edward Seymour, baron of Ragley in the county of Warwick. To save appearances, how-
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ever, John Harvey of the opposite party was made baron of Ickworth in the county of Suffolk; though this favour he owed to the powerful intercession of the dutchess of Marlborough. At the same time the marquis of Normanby was created duke of that name, and afterwards honoured with an additional title of duke of Buckinghamshire.

To the transactions of this session, it may not be improper to subjoin an account of the proceedings of the convocation, which sat at the same time with the parliament, and which was distracted by the same feuds and animosities, that prevailed in that assembly.

The lower house, in imitation of the commons, proposed an address, reflecting on the memory of the late king, and even glancing obliquely at the conduct of the bishops; but the upper house refusing their concurrence, they were at last persuaded to agree in a joint address to her majesty; in which they congratulated her accession to the throne; thanked her for the assurances she had given of her fixed resolution to support the church of England, as by law established, and to maintain the succession in the Protestant line; and expressed their hopes, that whatever was wanting to restore the
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church to its just rights and privileges, would be supplied by her majesty, and would be transmitted safe to the latest posterity. The queen, in her answer, told them, that she was highly pleased with this dutiful address, and considered their concurrence in this particular, as a good presage of their union in every thing, that should come before them.

The event, however, did not answer her expectations. Their former contests were immediately revived. The lower house desired, in an application to the archbishop of Canterbury and his suffragans, that the matters in dispute concerning the manner of synodical proceedings, and the right of the lower house to hold intermediate assemblies, might be taken into consideration, and speedily determined. The bishops were willing to indulge them in every thing that could possibly be granted, without giving up their character and authority. They proposed, that, in the intervals of sessions, the lower house might appoint committees to prepare matters; and when business should regularly be brought before them, the archbishop would regulate the prorogations in such a manner, that they might have sufficient time to sit and deliberate on the subject.

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The lower house were not satisfied with this offer. They had many friends among the ministry; they believed the queen to be attached to their interest; and they were elated by a vote of the commons, importing, that they would, on all proper occasions, assert the just rights and privileges of the lower house of convocation. Encouraged by these concurring circumstances, they rejected the proposal of the bishops, and desired that the matter might be submitted to the queen's decision. The prelates answered, that they could not help expressing their surprize at a proposal, which set the two houses on a footing of equality, and was totally inconsistent with the episcopal authority, and the archbishop's presidency: that they deemed themselves safe and happy under the queen's protection, and would cheerfully obey her orders; but did not think it proper to trouble her with the controversy; and that, in any event, they could not part with any of those rights, which were vested in them by the constitution of the church, and the laws and customs of the realm.

The lower house, piqued at this reply, presented an address to the queen, importing, that in the convocation called in 1700, after an interruption of ten years, several questions having arisen concerning the
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rights and liberties of the lower house, the bishops had declined a verbal conference : that the same dispute having been revived in the present convocation, and still being involved in the same difficulties, they had refused to refer it to her majesty's arbitration : and that the lower house, therefore, fled for protection to her majesty, begging she would call the question into her royal audience, and award such a sentence as to her should seem proper. The queen promised to consider their petition, which was supported by the earl of Nottingham, and many other Tories. She accordingly ordered her council to examine the matter, and see how it consisted with law and equity. It should seem, however, that the report was unfavourable to the lower house ; for she made them no answer : an indulgence which she would hardly have refused them, could she have given a decision in their favour.

The lower house, apprehending, that, by their present proceedings, they might incur the imputation of being attached to presbytery, drew up a declaration, which they entered in their books, acknowledging the order of bishops as superior to Presbyters, and to be of divine apostolical institution. They likewise presented an address to the bishops, desiring them to concur in settling
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the divine right of episcopacy, that it might be a standing rule of the church. This proposal they considered as a master-piece of policy. Should the bishops comply with it, they would thereby subject themselves to the penalties of premunire; the punishment denounced against them by the law, in case they presumed to make a canon or constitution, without having obtained a royal licence: should they reject it, they would, in their turn, be liable to the imputation of favouring Presbytery.

The bishops perceived their perfidious design, and resolved to disappoint it. They therefore replied, that the preface to the form of ordination contained a declaration of three orders of ministers, from the times of the apostles; namely bishops, priests, and deacons; but they conceived, that, without a royal licence, they had not authority to attempt, enact, promulge, or execute any canon, which should concern either doctrine or discipline: that this was likewise the opinion of several learned persons in the lower house: that, nevertheless, they were highly pleased with the zeal they expressed for the episcopal order, and hoped they would manifest the sincerity of their professions by their future conduct. To this apology the lower house returned a very saucy
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and petulant answer; and the dispute subsided, when the session was finished by the prorogation of the parliament.

These contests produced divisions through the whole body of the clergy, who ranged themselves in different parties, distinguished by the names of High-church and Low-church. The former was composed of those, who, though assuming to themselves the honourable appellation of true friends to the church and monarchy, would have had no scruple to sacrifice both to their narrow and bigotted prejudices; to procure the restoration of the abdicated family, whose divine, indefeasible, and hereditary right they firmly believed, and strongly supported. The latter consisted of such, as, though branded with the name of Presbyterians and republicans, were zealously attached to the present government, and to the principles, on which the Revolution was founded. In a word, the latter might be termed ecclesiastical Whigs; the former, ecclesiastical Tories.

The two parties were pretty equally matched in strength, and exerted their utmost endeavours in order to ruin and disgrace each other. The former, however, had one advantage over their antagonists. They were blessed with the favour and countenance of their sovereign; on whom they took care,

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in their turn, to bestow the most fulsome and extravagant praises. They ridiculed the right of parliaments, the memory of the late king, and even the act which limited the succession to the house of Hanover. They flattered her as possessor of the prerogatives of the ancient monarchy: they caused the history written by her grandfather, the earl of Clarendon, to be published, in order to inculcate the principles of obedience, and inspire the people with an abhorrence of opposition to an anointed sovereign. They traced down her pedigree from Edward the confessor; and, as heir of his pretended sanctity and virtue, they persuaded her to touch persons afflicted with the king's evil: and finally, to complete the farce, they procured an office to be inserted in the liturgy for this occasion.

Mean while the attention of the ministry was chiefly engaged by the affairs of the continent. The emperor agreed with the allies, that his son, the archduke Charles, should assume the title of king of Spain, demand the infanta of Portugal in marriage, and undertake some enterprize of importance, in conjunction with the maritime powers. He had likewise promised to send such an army into the field, as would, in a little time, be able to expel the elector of Bavaria from his dominions. But he was so dilatory in his
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preparations, that the French king broke all his measures, by sending powerful reinforcements to the elector, in whose ability and attachment he reposed the most perfect confidence.

Mareschal Villars passed the Rhine with an army of thirty thousand men, and attacked fort Kehl, the garrison of which was obliged to surrender. The emperor, alarmed at this event, ordered count Schlick to enter Bavaria, on the side of Saltzburgh, with one army, and count Stirum, on the side of Newmark, with another.

Both these generals were for some time successful. Schlick defeated a body of militia that guarded the lines of Saltzburgh, and made himself master of Riedt, and several other places. Stirum routed a party of the enemy, and reduced Newmark, and soon after Amberg. The elector, assembling his forces near Brenau, diffused a report, that he intended to besiege Passau; and Schlick, sensible of the importance of that place, advanced to its relief, with the greatest part of his infantry, leaving behind him his cavalry and cannon. The elector, having by this feint divided the Imperialists, passed the bridge of Scardigen, with twelve thousand men, and after an obstinate engagement, compelled the Imperialists to a-

bandon the field of battle : then he marched against the cavalry, which guarded the artillery, and attacked them with such fury, that they were entirely defeated. Soon after, he took Newburg on the Inn, the garrison of which was conducted to Passau. He obtained another advantage over an advanced post of the Imperialists, commanded by the young prince of Brandenburg-Anspach, who was mortally wounded in the action.

Encouraged by these repeated successes, he advanced to Ratisbon, where the diet of the empire was assembled, and demanded that he should be immediately put in possession of the bridge, and one of the gates of the city. The burghers at first made a shew of resistance ; but seeing a battery erected against them, and the elector determined to bombard the place, they thought proper to capitulate, and agree to his demands. He entered the town on the eighth day of April, and signed an instrument, obliging himself to withdraw his forces, as soon as the emperor should ratify the diet's resolution for the neutrality of Ratisbon.

Mareschal Villars, having received orders to join the elector at all events, and being reinforced by a body of troops under count Tallard, determined to break through the lines, which the prince of Baden had formed

ed at Stolhoffen. The prince had by this time been joined by eight Dutch regiments, and received the enemy, though double his number, with such irresistible bravery, that Villars was obliged to retreat with great loss, and directed his march towards Offingen. Nevertheless, he penetrated through the Black Forest, which was deemed impassable, and effected a junction with the elector.

Count Stirum, informed of this event, endeavoured to join prince Lewis of Baden; but, being attacked near Schwemmingen, he retired under the cannon of Norlingen.

The allies were more successful on the lower Rhine, and in Flanders. The duke of Marlborough's departure, had, for some time, been delayed by the death of his only son, the marquis of Blandford, who died of the small-pox in the beginning of the year. That nobleman crossed the sea about the middle of April; and, assembling the allied army, resolved to open the campaign with the siege of Bonne, which was accordingly invested on the twenty-fourth of the same month.

The place was attacked in three different quarters: in one by the prince of Hesse-Cassel; in another, by the celebrated Coehorn; in a third, by lieutenant-general Fagel. The garrison made a brave and vigorous defence,

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and continued to hold out till the fourteenth day of May, when the fort having been taken by assault, and the breaches practicable, the marquis d'Alegre, the governor, ordered a parley to be beat; hostages were immediately exchanged; on the sixteenth the capitulation was signed; and in three days the garrison marched out, and were immediately conducted to Luxemburgh.

During the siege of Bonne, the mareschals Boufflers and Villeroy advanced with an army of forty thousand men towards Tongeren; and the confederate army, commanded by Overkirke, was obliged, at their approach, to retreat under the cannon of Maëstricht. The enemy, having taken Tongeren, which was garrisoned by the regiments of Elliot and Portmore, made a motion against the confederate troops, as if they intended to attack them; but, finding them drawn up in order of battle, and so advantageously posted, they thought proper, notwithstanding their great superiority in point of number, to alter their resolution; and retired to the ground from whence they had advanced.

Immediately after the surrender of Bonne, the duke of Marlborough, who had been present at the siege, returned to the allied army in the Netherlands, now amounting to
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one hundred and thirty squadrons, and fifty-nine battalions. He forthwith began his march towards Liege, as well to cover that place, as to force the enemy from their camp at Tongeren. On the twenty-fifth day of May, he passed the Jecker, in order to attack them in their entrenchments; but, instead of waiting his approach, they abandoned Tongeren, and retreated to Boekwern.

The duke continued to pursue them to Thys, where he encamped, while they withdrew to Hannuye, retiring as he advanced. Finding it impossible to bring them to an engagement, he resolved to force their lines; and this service was effectually performed by Coehorn, at the point of Gallo, and by baron Spaar in the county of Waes, near Steken.

General Opdam, who was to have made an attempt on the side of Antwerp, was less successful. He was surprized at the village of Eckeren by marechal Boufflers, with a superior army, and fled to Breda, with the utmost precipitation. Nevertheless, the troops rallying under general Slangenburg, maintained their ground with incredible valour, and the enemy were obliged to retire with the loss of three thousand men. Lewis, however, with his usual policy or vanity, caused *Te Deum* to be sung for the victory, but,

but, as a more convincing proof of his real sentiments, he dismissed Boufflers from his service.

Opdam presented an apology for his conduct to the States General; but by this oversight he forfeited the fruits of a long service, during which he had given repeated proofs of courage, conduct, and fidelity. The States honoured Slangenburg with a letter of thanks for the bravery and resolution he had discovered in this engagement; but, a misunderstanding having arisen between him and the duke of Marlborough, they soon after deprived him of his employment.

Villeroy, who now lay encamped near St. Job, declared that he would wait for the duke of Marlborough, who immediately advanced to Hoogstraet, with a view to give him battle; but, at his approach, the French general set fire to his camp, and retired within his lines. The duke, disappointed in this quarter, invested Huy, the garrison of which surrendered themselves prisoners of war, after a siege of three days. He then proposed to attack the French lines between the Meuse and the Leuwe, and was seconded by the Danish, Hanoverian, and Hessian generals; but the scheme was opposed by the Dutch officers, and the deputies of the States, who alledged, that the attempt was hazardous, and, even if successful, would be attended

tended with very little advantage. They therefore recommended the siege of Limburg, which was accordingly undertaken; and in two days the place submitted, the garrison remaining prisoners of war.

By this conquest, the allies secured the country of Liege, and the electorate of Cologne, from the incursions of the enemy; and, before the end of the year, they made themselves masters of the whole Spanish Guelderland, by the reduction of Gueldres, which surrendered on the seventeenth of September, after having been long besieged and bombarded by the Prussian general, count Lottum. Such was the campaign in Flanders, which, in all probability, would have produced events of greater importance, had not the duke of Marlborough been restrained by the deputies of the States-General, who began to be influenced by the intrigues of the Louvestein faction, ever averse to a single dictator.

The allies were not equally fortunate in Germany. The duke of Vendome was ordered to march from the Milanese, and there to join the elector of Bavaria, who had already reduced the city of Inspruck. But the boors, rising in arms, drove him out of the country, before the arrival of the French general, who was therefore obliged to return to the Milanese.

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Nothing of importance was attempted in Italy. The Imperialists were so ill supplied by the court of Vienna, that they could only pretend to act on the defensive. The French undertook the siege of Ostiglia, in which however, they finally miscarried: but the fortrefs of Barsillo, in the dutchy of Reggio, capitulating, after a long blockade, they took possession of the duke of Modena's country.

The elector of Bavaria, having rejoined Villars, resolved to attack count Stirum, whom prince Lewis of Baden had detached from his army. The better to execute this purpose, they sent word to the marquis d'Usson, whom they had left in the camp at Lavingen, to quit his intrenchments at a certain signal, and fall upon the Imperialists in the rear, while they should charge them in front and flank.

This precaution being taken, they passed the Danube at Donawert, and discharged six guns, which were answered by two from the marquis. Stirum no sooner perceived the signal, than he guessed the intention of the enemy, and instantly resolved to attack D'Usson, before the elector and the marshal should advance. He accordingly charged him at the head of some select squadrons, with such incredible fury, that the

the French cavalry was totally routed; and all their infantry would have been killed or taken, had not the elector and Villars come up in time to turn the fate of the day. The battle, however, was maintained from six in the morning till four in the afternoon, when Stirum being overpowered by numbers was obliged to retreat to Norlingen with the loss of twelve thousand men, and all his baggage and artillery.

Mean while the duke of Burgundy, assisted by Tallard, undertook the siege of old Brisac, with a formidable train of artillery. The place was very strong both by art and nature; but the garrison was small and ill provided with necessaries. In fourteen days the governour surrendered, and was condemned to lose his head for having made such a feeble defence.

The duke of Burgundy returned to Versailles, and Tallard was ordered to invest Landau. The allies, sensible of the great importance of that place, detached the hereditary prince of Hesse Cassel, in order to attempt the raising of the siege. The prince, having joined the count of Nassau Weilburg, general of the Palatine forces near Spire, resolved to attack the French in their lines.

But by this time Tallard had been reinforced by a body of ten thousand men under
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monsieur Pracontal, and was able to defeat the designs of the confederates. He suddenly quitted his lines, and surprized them at Spire-back, where he obtained a complete victory, after a very bloody and obstinate engagement, in which the prince of Hesse behaved with uncommon courage and conduct. Three horses were successively killed under him, and he slew a French officer with his own hand. After incredible efforts, he was obliged to retreat with the loss of some thousands. The French paid dear for their victory, Pracontal, and several other officers of distinction, being slain in the action. Nevertheless they resumed the siege of Landau, which at last capitulated upon the same terms, that had formerly been granted to the French governour. The campaign in Germany was finished with the reduction of Augsburg by the elector of Bavaria, who allowed the garrison to march out with the honours of war, and conducted them safe to Norlingen.

Nor was it only in Germany, that the emperor's affairs were in a declining situation. The Hungarians, oppressed by those, who were entrusted with their government, resolved to lay hold of this favourable opportunity for securing their liberties. They ran to arms under the command of prince
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Rogotzki. They demanded, that their grievances should be redressed, and their privileges restored. Their resentment was kept alive by the emissaries of France and Bavaria, who encouraged them to persevere in their revolt, by repeated promises of protection and assistance. Some inconsiderable supplies were even sent them by the way of Poland.

Two events, however, happened about this time, which contributed greatly to the interest of the allies. The duke of Savoy, notwithstanding his close connections with the crown of France and Spain, began to apprehend the consequences of these two monarchies being united in the same family. He likewise foresaw how much he should be exposed to the mercy of the French king, should that monarch become master of the Milanese.

He therefore resolved, with that versatility which was so truly the characteristic of his family, to abandon the interest of his son-in-law, which he now deemed inconsistent with his own, and to espouse the cause of the allies. He accordingly engaged in a secret negociation with the emperor, which he studiously endeavoured to conceal till the end of the campaign; when, having recovered the auxiliaries, which he had sent to the French

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army, he thought he might disclose it with greater safety. But, notwithstanding all his circumspection, it was discovered by the court of Versailles.

Lewis immediately ordered the duke of Vendome to seize and disarm the troops of Savoy that were in his service, to the number of two and twenty thousand men : to insist upon the duke's putting him in possession of the fortresses of Vercell, Verjur, Suza, and other places : and to demand that the number of his troops should be reduced to the establishment stipulated in 1696.

The duke, exasperated at these insults, ordered the French ambassador, and several officers of the same nation, to be arrested ; and Lewis endeavoured to intimidate him by a threatening letter, in which he told him, that, since neither religion, honour, interest, nor alliances, had been able to influence his conduct, the duke of Vendome should acquaint him with the intentions of the French monarch, and allow him four and twenty hours to deliberate on the party he chose to embrace.

This letter made no impression upon the duke, who answered it by a manifesto. In the mean time, he concluded a treaty with the court of Vienna ; acknowledged the archduke Charles as king of Spain ; notified
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his proceedings to the queen of Great-Britain and the States-general; and, soon after, sent envoys to England and Holland to solicit the interest of those two powers. Queen Anne, knowing his importance, as well as his selfish disposition, assured him of her friendship and protection; and both she and the States sent ambassadors to Turin.

The emperor, sensible in what a delicate situation the duke was placed, ordered count Staremberg to advance from the Secchia with a body of fifteen thousand men, and to join his royal highness. This march is said to have been the best concerted, and the best executed, of any, that was performed during the whole war. The count proceeded, in the worst season of the year, through an enemy's country, and roads that were deemed impassable, while the French forces hovered on both sides of him, and frequently attacked him in front and rear. He surmounted, however, all these difficulties, and at length joined the duke at Canelli, so as to secure the country of Piedmont.

The other incident, which proved so favourable to the confederates, was the accession of the king of Portugal to the grand alliance. That monarch began to perceive,

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that, should Spain once be united to the crown of France, he would not be suffered to remain long in possession of his throne. He was likewise intimidated by the united fleets of the maritime powers, which maintained the empire of the sea : and he was further allured by the prospect of a match between the infanta and the archduke Charles, to whom the emperor and the king of the Romans should transfer all their pretensions to the crown of Spain.

A treaty was accordingly begun and soon after concluded at Lisbon, between the emperor, the queen of Great Britain, the king of Portugal, and the States-general. In this treaty it was stipulated, that king Charles should be conveyed to Portugal, by a powerful fleet, having on board twelve thousand soldiers, with a great supply of money, arms, and ammunition : and that twenty-eight thousand Portuguese should be ready to join him immediately upon his arrival at Lisbon.

The naval operations of this summer were ill concerted, and worse executed. Sir George Rooke was appointed to cruise in the channel, in order to alarm the coast of France, and to protect the trade of England. He lingered long in port, on pretence of ill health ; but Churchill being sent to command

mand in his stead, he thought proper to put to sea ; though he chose his stations in such a manner, as if he had intended to avoid the enemy, rather than engage them.

In the month of March, vice admiral Graydon, a man of a brutal disposition, and disloyal principles, was sent to the West-Indies with a good squadron, in order to attack the Island of Placentia, and expel the French from the Newfoundland fishery. In his passage, he fell in with monsieur du Casse, who was returning from Cathagena, with four ships extremely foul, and having on board a large treasure, amounting to no less than four millions of pieces of eight. Captain Cleland of the Montague engaged the sternmost : but he was called off by a signal from the admiral, who declared, that he had orders to proceed directly in his voyage, and not to lose any time by chasing or speaking with any ships whatsoever.

The nation loudly exclaimed against such a complication of treachery and misconduct. The admiralty, indeed, took the blame upon themselves, and acknowledged, that they had given such orders to the admiral : but Graydon could by no means be justified. The orders, it is true, to call them no worse, were extremely imprudent : but admirals had never thought themselves so strictly li-

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mitted by their private instructions, but that they might assume a discretionary power, when any unforeseen opportunity offered of gaining a considerable advantage.

Graydon did not behave with greater prudence or fidelity, when he came to the West-Indies. He acted in such a brutal and savage manner, as if he had been sent to terrify, rather than protect, the inhabitants. Having at length assembled the forces, that were in the plantations, he went to the attack of Placentia; but the ministry had been so little cautious in their conduct, that the design was universally known before the fleet set sail; and the enemy had found time to put themselves in a posture of defence. The attempt was therefore judged impracticable; and Graydon returned to England; where the queen, in order to protect her ministry, and satisfy the nation, was obliged to dismiss him from her service.

The next enterprize was intrusted to the care of a man of unquestionable courage and fidelity; but though the treachery, ignorance, or incapacity of the ministers, proved equally unsuccessful.

After Rooke's ineffectual cruize, a resolution was taken to send a strong squadron into the Mediterranean; but the scheme was so ill laid, that nothing could reasonably be

be expected from it. The fleet was not ready to sail till the beginning of July, and was ordered to leave the Streights by the end of September. Sir Cloudesley Shovel, who was appointed to the command, had no sooner perused his instructions, than he represented the impossibility of performing any service to the public by such an expedition. He was commanded, however, to obey his orders; and accordingly he thought proper to comply.

On the first day of July, the admiral sailed from St. Helens, with the combined squadrons of England and Holland, amounting in all to fifty two ships of war; a force, surely, abundantly sufficient to have accomplished some enterprize of the utmost importance, had any regular plan been formed for the purpose. Nothing however, of this nature, appears to have been intended. The admiral, indeed, landed on the coast of Spain, though he seems only to have been led thither for want of water. Nevertheless, he took this opportunity to publish a manifesto, importing, that he was not come to disturb, but to protect the good subjects of Spain, who should swear allegiance to their lawful sovereign the archduke Charles; and endeavour to shake off the yoke of France. What effect this declaration produced, the
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admiral could not tarry to see, having too little time to execute the principal, or rather the only purpose of the expedition. This was to afford assistance to the Cevennois, who inhabit the southern parts of Languedoc in France, and who, having in the course of the preceding year been persecuted into a revolt on account of religion, had implored the protection of England, and the States-General.

He accordingly directed his course to the French coast, and sent two ships into the gulph of Narbonne, with some refugees and pilots, who had concerted signals with the Cevennois; but the court of Versailles had been so fully apprized of the expedition, that they had taken effectual measures to render it abortive. The time being now expired, to which the admiral was limited, he renewed the peace with the pyratial states of Barbary, and then set sail for England, where he arrived on the seventeenth of November.

From the whole of this enterprize, it is natural to suppose, that the ministry had no other intention than to amuse the public, and to persuade them, that they were zealous in the prosecution of the war, to which, in their heart, they were inveterate enemies. That the people should murmur at such repeated instances of treachery and misconduct, is not surprising: the wonder is, that their
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discontent did not break out into some act dangerous to the public tranquillity.

These fruitless expeditions, besides exposing the nation to an enormous expence, tended greatly to diminish the fleet, several ships having been lost in the service; yet this damage was inconsiderable, when compared to that which the navy sustained from the dreadful tempest that began to blow on the twenty-seventh day of November, attended with such flashes of lightning and peals of thunder, as filled the whole kingdom with terror and consternation. The houses in London shook from their foundations, and some of them falling, buried the inhabitants in their ruins. The water overflowed several streets, and rose to a considerable height in Westminster-hall. London-bridge was almost choaked up by the wrecks of vessels that perished in the river.

The loss sustained by the capital alone, was computed at near two millions; and the city of Bristol suffered to the amount of two hundred thousand pounds: but the chief damage fell on the navy. Fourteen ships of war were lost, together with fifteen hundred seamen, including rear-admiral Beaumont, who had just returned from observing the Dunkirk squadron, and was then riding at anchor

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anchor in the Downs, where his ship foundered.

The parliament being at that time sitting, the commons presented an address to the queen, expressing their deep sense of the calamity, which had fallen upon the kingdom, by the late storm; and beseeching her to exert her utmost endeavours in repairing the navy, for which purpose they would contribute with the greatest zeal and alacrity. Orders were accordingly issued for building a number of new ships; and, in a short time, the fleet was put upon a more respectable footing than ever.

Agreeable to the treaty concluded at Lisbon, the new king of Spain set out from Vienna for Holland, and at Dusseldorp was visited by the duke of Marlborough, who, in the name of his mistress, congratulated him on his accession to the crown of Spain. Charles received him in a very courteous and obliging manner. Hearing of his approach, he put on a fine new sword, and, in the course of their conversation, taking it from his side, he presented it to the duke, with a very gracious aspect, saying, in the French language, “ I am not ashamed to own myself a poor prince: I possess nothing but my cloak and sword: the latter may be of use to your grace: and I hope you will
“ not

“ not think it the worse for my wearing it
“ one day.” “ On the contrary,” replied
the duke, “ it will always put me in mind
“ of your majesty’s just right and title, and
“ of the obligations I lie under to hazard
“ my life in making you the greatest prince
“ in Christendom.”

The duke, having finished the campaign in Flanders, returned to England on the thirtieth day of October; and king Charles embarking for the same kingdom, under convoy of an English and Dutch squadron, arrived at Portsmouth on the twenty fifth of December. There he was received by the dukes of Somerset and Marlborough, who had been sent to conduct him to Windsor; and on the road thither, he was met by prince George of Denmark.

The queen’s deportment towards him was equally noble and obliging; and he, in his turn, expressed the most profound respect and veneration for her majesty. He spoke but little; yet what he said was judicious; and, though so remarkably grave, that he never once smiled, he, nevertheless behaved with such affability and politeness, as gained him the affections of the English nobility. After having been sumptuously entertained for three days, he returned to Portsmouth, from whence, on the fourth day of January, he set sail for Portugal.

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The fleet was commanded by Sir George Rooke, and had on board a body of land-forces under the duke of Schomberg.

When the admiral had almost reached cape Finisterre, he was driven back by a storm to Spithead, where he was obliged to remain till the thirtieth of February. Then being favoured with a fair wind, he happily performed the voyage to Lisbon, where king Charles was received with great magnificence; though the court of Portugal was overwhelmed with sorrow, on account of the death of the infanta, whom the young prince intended to espouse, and who died a few days before his arrival.

The situation of affairs in Poland was still more embroiled than ever. The old cardinal-primate, by the infliction of the young king of Sweden, whose army lay encamped in the neighbourhood of Dantzick, assembled a diet at Warsaw, which solemnly deposed Augustus, and declared the throne vacant. It was generally supposed, that they intended to elect young Sobieski, son of their late monarch, who resided at Breslaw in Silesia; but if that was their scheme, it was effectually defeated by Augustus, who retired hastily into his Saxon dominions, and seizing Sobieski and his brother at a party of hunting,

ing, conducted them to Dresden, and put them under confinement.

Such was the state of affairs in Europe, when the parliament met in the month of October. The queen, in her speech to both houses, said, that she hoped she had improved the confidence reposed in her, to the satisfaction of her people, and the benefit of her allies, as well by the treaty concluded with Portugal, as by the declaration of the duke of Savoy; and that she trusted the commons would chearfully enable her to make good her engagements with both these powers: that, though no provision had been made for the expedition to Lisbon, and the augmentation of the land-forces, the funds had answered so well, and the produce of the prizes had been so considerable, that the public had not run in debt by those additional services: that, in conjunction with the States-General, she had contributed, out of her own revenue, to the support of the circle of Suabia, whose firm adherence to the interest of the alliance, deserved their seasonable assistance: that, the better to enable her to alleviate the burdens of her subjects, she would carefully abstain from every unnecessary expence of her own: that she heartily wished, that some more easy and regular method could be found for manning the fleet upon

sudden emergencies: that she hoped they would devise some effectual means for lowering the price of coals, which, notwithstanding the care she had taken to appoint convoys for that service, had risen to such an immoderate heighth, as bore extremely hard upon the poorer sort of people, and gave just cause to suspect, that a combination was formed by one set of men to enrich themselves by the oppression of others: that the public service required the utmost dispatch and expedition, which the nature of the business could possibly admit: that there was nothing which she had more at heart, than to promote a spirit of unanimity and concord among all her subjects: and that she earnestly desired, they would avoid any heats or divisions, that might interrupt their proceedings; or give encouragement to the common enemies of church and state.

By this admonition, the queen was generally supposed to mean, that the bill against occasional conformity should be entirely laid aside. It appears, however, from a letter, which she wrote about this time to the dutchess of Marlborough, that she was no enemy to that measure.

Whether the commons were actuated by her secret suggestions, or by their own narrow prejudices, certain it is, that the bill was
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immediately revived ; though the penalties indeed, were somewhat lowered, and the severer clauses mitigated. After a violent opposition from the few Whig-members, that were in the house, it was put to the vote, and was carried by a great majority.

But in the upper house it met with a very different fate. It was keenly opposed by the greater part of the bishops, and, particularly, by Burnet of Sarum, who exclaimed against it, as a scheme of the Papists, to set the church and dissenters at variance. It was successively attacked by the duke of Devonshire, the earl of Pembroke, the lords Haverham, Mohun, Ferrers, and Wharton.

As the court no longer interposed openly in favour of the bill, Prince George of Denmark absented himself from the house ; and, the question being put for a second reading, it was carried in the negative, by a considerable majority : yet the duke of Marlborough and lord Godolphin entered their dissent against its being rejected, though the latter had positively declared, that he thought it unseasonable.

This disappointment did not prevent the commons from making provision for the prosecution of the war. Having perused a copy of the treaty with Portugal, they voted forty thousand men, including five thousand

marines, for the sea-service of the ensuing year; the like number of land-forces, to act in conjunction with the allies, besides the additional ten thousand: and they resolved, that the proportion to be employed in Portugal should amount to eight thousand. For the maintenance of these armaments, as well as for the discharge of the subsidies payable to her majesty's allies, they granted the sum of three millions eight hundred and eighty-one thousand six pounds and fifteen shillings. They likewise presented an address to the queen, in which they assured her, that they would provide for the support of such alliances as she had made or should make with the duke of Savoy.

Notwithstanding the little probability, that ever the pretended prince of Wales should ascend the throne of Great Britain, the Jacobites could never lay aside the hopes of being one day able to raise him to that dignity. Simon Frazer lord Lovat, had lately repaired to the court of St. Germain's, where he undertook to assemble a body of twelve thousand Highlanders to act in favour of the pretender, if the court of France would assist them with a small body of troops; together with officers, arms, ammunition, and money. Lewis seemed to relish the proposal, and ordered him to return

turn to Scotland, with two other persons, who were instructed to learn the strength and sentiments of the clans, and endeavour to persuade some of the nobility to embark in the design.

Frazer no sooner arrived in Scotland than he waited privately upon the duke of Queensberry, and acquainted him with the whole transaction. At the same time he put into his hand a letter from the queen at St. Germain directed to the marquis of Athole. The letter indeed was conceived in such general terms, that it might have been addressed to any of the nobility: the superscription too was written by a different hand: and as Frazer had been outlawed for having ravished the marquis's sister, it is not improbable that he might forge the direction, in order to ruin that nobleman, who had prosecuted him for the rape.

The duke of Queensberry imparted the discovery to the queen, without disclosing the name of the informer, which he desired might be concealed; and her majesty was inclined to believe the particulars, the rather as she had lately received the same intelligence from her spies at Paris. The conspiracy, besides, was further confirmed by the evidence of Sir John Maclean, who had lately come over from France to England, and

had been apprehended at Folkstone in Kent. He pretended at first, that his intention was to go through England to his own country, in order to take the benefit of the queen's pardon; but being informed, that the pardon in Scotland was of no avail in England, and that it was high-treason to come from France without a pass, he thought proper to avoid the severity of the law by relating all he knew of the purposed insurrection.

From his information the ministers gave orders for apprehending one Keith, whose uncle had accompanied Frazer from France, and was intimately acquainted with all the intrigues of the court of St. Germain's. Keith confessed that he was privy to Frazer's transactions, but alledged, that the only intention of it was to pave the way for the pretender's ascending the throne after the queen's decease.

At the same time a gentleman was seized of the name of Lindsey, who had been under-secretary to the earl of Melfort, and afterwards to the earl of Middleton. He declared, that he knew of no designs against the queen or her government; and that he did not believe she would ever receive the least injury or molestation from the court of St. Germain's: but when he was shown the commission appointing Frazer

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a colonel, signed by the pretended king, and countersigned Middleton, he was somewhat disconcerted. He did not pretend that it was a forgery; but he alledged, in his own defence, that he was never admitted into secrets of that nature.

Among many other circumstances, that tended to confirm the truth of the conspiracy, one was, that a great number of rebels and outlaws flocked over from France about this period; several of whom had been lately apprehended on the coast of Sussex, and among others, one Boucher, who had been aid-du-camp to the duke of Berwick. This man, when examined, denied all knowledge of a conspiracy; and said, that being weary of living so long abroad, and having made some fruitless attempts to procure a pass, he had chosen rather to throw himself on the queen's mercy, than remain longer in exile from his native country.

Little credit, however, was given to this asseveration. He was therefore tried and condemned for high-treason; but still persevered in declaring himself ignorant of the plot. He said, that, in the war of Ireland as well as in Flanders, he had treated the English prisoners with great humanity. The lords desisted from the prosecution: he obtained a reprieve; and after remaining a long

long time in prison, at last died in Newgate.

Considering the disposition of the present ministry, as well as of the present house of commons, it is no wonder, if the lords were extremely anxious about the proper examination of this conspiracy. They accordingly resolved, that a committee should be appointed to inquire into the particulars; and that Sir John Maclean should be brought before their house.

The queen was by no means pleased with this interposition. She told them, that she thought it would be inconvenient to alter the method of examination already begun; and that she would in a short time inform them of the whole transaction. The lords, however, still persisted in their resolution: they proceeded to name their committee by ballot; and the choice fell upon the dukes of Somerset and Devonshire, the earls of Sunderland and Scarborough, the lords Somers, Townsend, and Wharton.

The jealousy, which the lords entertained of the commons, soon appeared to be too well founded. These last, taking it for granted, that the queen was displeased with the proceedings of the upper house, presented an address, expressing their surprize, that, when persons suspected of treasonable

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practices, were taken into custody by her majesty's messengers, in order to be examined, the lords, in violation of the known laws of the land, had wrested them out of her hands, and arrogated the examination solely to themselves; so that a due inquiry into the evil practices and designs against her person and government might in a great measure be obstructed. They earnestly desired that she would suffer no diminution of the prerogative; and they assured her, that they would, to the utmost of their power, support her in the exercise of it at home, as well as in asserting it against all invasions whatsoever.

This address was as irregular in its form, as it was unjust in its substance. When any difference happened between the two houses, it was usual for that, which thought itself aggrieved, to desire a conference, in which the dispute might be amicably adjusted. But to begin with an appeal to the throne was altogether new and unprecedented, and might afford an opportunity to some ambitious and aspiring prince to effect the ruin of the whole constitution.

The assertions too, contained in the address, were absolutely false and groundless. The English history was pregnant with examples, where the lords had assumed such a right

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right of inquiry. No wonder, therefore, that they should resent an accusation so very cruel and malicious. They declared, that by the known laws and customs of parliament they had an undoubted right to take examination of persons charged with criminal matters, whether those persons were in custody or not; and to order that the persons so to be examined, should be taken into the custody of her majesty's sworn messengers attending the house. They further resolved, that the address of the commons was unparliamentary, groundless, without precedent, highly injurious to the house of peers, of dangerous consequence to the liberties of the people, the constitution of the kingdom, and the privileges of the parliament.

They likewise presented a remonstrance to the queen, in which, among other things, they observed, that the address of the commons was conceived in terms so very harsh and indecent, that it might be safely affirmed the like had never been used of the house of peers, in in any age, or by any house of commons: not even by that assembly, which, under the name of the lower house, presumed not only to abolish the house of lords, but likewise to destroy the monarchy: that, nevertheless, they would carefully avoid repaying them in kind; they remembered too well
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what they owed to their own character, and what respect was due to her majesty, to suffer any provocation to transport them so far as to make use of words unfit to be offered to her royal ear : that the lords, in examining the persons apprehended, had assumed no right, but what they had possessed from times immemorial, and had always exercised, whenever they judged it necessary : that the denying or disputing this right might be productive of the most dangerous consequences, as it tended to prevent, or at least to defeat parliamentary inquiries, which were so indispensably necessary for the safety of the kingdom, especially when many and great persons were engaged in designs against the government, or when evil ministers abused their power towards oppressing or enslaving the people : that her majesty's known wisdom and goodness happily freed them from all apprehensions of that nature for the present, and they heartily prayed, that they might long enjoy the blessing of her mild administration ; but if it should happen in some future reign, that wicked and designing men should gain too great a degree of favour with the prince, how easy would it be for them to hinder the parliament from inquiring into their crimes ; for if the circumstance of being in prison, or in the hands

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hands of a messenger, should be deemed sufficient to protect men from being examined by the lords, it would certainly be always in the power of a favourite minister, to imprison those, who could witness against him or who were accomplices in his crimes; and if persons in custody were out of the reach of the lords, who are the hereditary counsellors of the crown, and in whom a judicial power is lodged by the constitution, it was not to be supposed that the commons could pretend to a greater power of examining, committing or restraining such persons: that no house of commons had ever before adopted this dangerous opinion, which tended so directly to screen evil ministers from the examination of parliaments; and it was to be hoped, that no house of commons would hereafter adopt it; especially, as they were seldom wont to part willingly with any power, which they had once assumed; and it was notorious, that they had frequently exercised a power similar to that, which they now condemned, with so much severity in the peers: that with regard to the imputation of their having wrested the prisoners from her majesty's hands, and arrogated the examination solely to themselves, they begged leave to observe, that the ordering persons to be examined in that high court,
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where her majesty was always present in point of law, and in that great council, where she might always be present in her royal person, could never be considered as an exclusion of her majesty from these examinations, if such was really the meaning of the commons in their invidious insinuation : that this was the first time that ever the house of commons had appealed directly to the throne against the house of lords ; and as it was the first time, so they hoped it would be the last : that they were so fully convinced of her majesty's regard for the liberties of her people, that they dreaded no danger during her auspicious reign ; but if, in some future period, and under the reign of an ambitious prince, the houses of parliament should adopt the custom of appealing to the throne against one another (for, if this method was employed by the commons, it might, with equal justice, be employed by the lords) they trembled for the consequences ; it might furnish an artful and designing prince with a plausible pretext for ruining the constitution, and of subverting the best ordered government in the world : that the histories of other nations afforded but too many examples to this purpose ; and what had happened in other countries, might possibly happen in this : that her majesty was too sagacious

not to discern the consequence of one house of parliament's endeavouring to excite and persuade the sovereign to exert a real or pretended prerogative against the other ; it was difficult to conceive what the commons could propose by such an application ; the lords had never employed this dangerous expedient, whatever provocations they might, of late years, have received ; nor did they repent of their moderation ; they were still determined to preserve a good understanding with the house of commons ; nor should they ever think any price too dear to pay for such an union, except that of sacrificing the rights and powers which were lodged in them by the law, and without which the constitution could not subsist : that they should never be guilty of the daring presumption to prescribe to her majesty, when, or against whom, she should exert her prerogative ; but would be always ready to assist her in supporting the just rights of the crown, as well as in maintaining the liberties of the subject, for which, they were persuaded, she had no less regard : that they would never contribute, by any act of theirs, to diminish the just rights of the crown, nor, as far as in them lay, suffer them to be diminished by others : that they could not act otherwise without hurting themselves in the
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highest degree; convinced, as they were, that the preservation of the legal prerogative was not only the best way to secure their own privileges, but was, indeed, of absolute necessity for the just and equal administration of government; and that they hoped, that, in all times coming, the commons would maintain, in their words and actions, that regard and concern for the prerogative, which they seemed so lately to have imbibed: that, with respect to the insinuation, that the lords undertaking to examine the prisoners, was intended to obstruct the discovery of the plot, they hoped their affection for her majesty's person and government, and their earnest desire to detect and defeat all attempts against either, were too well known, to suffer any suggestions of that kind to make the least impression to their disadvantage; they were certain, that it was not any suspicion of that nature, which gave rise to this very sharp address; and it was easy to determine, whether a zealous endeavour to inquire into the designs of her majesty's enemies, or an attempt to impede and interrupt such endeavours, was most likely to obstruct the discovery of the pernicious practices of traitors.

The lords have always been considered as the chief support of the rights of the crown;

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the commons, as the principal bulwark of the liberties of the people. It should seem, however, that they have sometimes shifted sides, at least, that the commons have deserted their station. Certain it is, that some instances are to be found in the English history, where, had it not been for the generous interposition of the lords, the liberties of the people might have been sacrificed; and others may be pointed out, where, but for the same patriotic conduct, they would have been actually surrendered.

The queen, in her answer to the remonstrance of the lords, observed, that she was extremely sorry that any misunderstanding should arise between the two houses of parliament, which was so prejudicial to the public service, and so disagreeable to her: that she was glad to hear their lordships declare, that they would studiously avoid all occasion for such animosities; and that she was obliged to them for the concern which they had shewn for her prerogative, which she would never exert so willingly, as for the good of her subjects, and the protection of their liberties.

On the twenty-ninth day of January, * the earl of Nottingham, acquainted the lords, that

* A. D. 1704.

that the queen had commanded him to lay before them the papers containing all the particulars, hitherto discovered, of the conspiracy in Scotland; but that there was one circumstance which could not be properly communicated, without running the risque of preventing a discovery of greater importance.

The lords, however fully convinced of the queen's good intentions, were by no means satisfied of Nottingham's integrity. They therefore framed and presented an address, desiring, that all the papers might be submitted to their inspection, that so they might have an opportunity, before the end of the session, to examine and discover the designs of the conspirators.

The queen, who was too apt to confound her own case with that of the ministers, was somewhat piqued at this application. She said, she did not expect to be pressed in this manner, immediately after the declaration she had made; but she hoped, that, before the end of the session, they might safely be informed of those particulars, which could not at present be published without the greatest inconvenience. Nevertheless, in a few days, Nottingham delivered the papers sealed, to the house, and all the lords were summoned to

attend on the eighth day of February, * that they might be opened and perused.

The suspicion, which the lords entertained of Nottingham, appeared, in the end, to be too well founded. Attempts were made to discredit the plot; and all of them were encouraged and promoted by that nobleman. The duke of Athol drew up a plausible memorial in his own defence, which he read in the queen's presence. From this memorial it appeared, that the duke, though one of the persons suspected, had either had the perusal or information, from the secretary of state, of the contents of all the letters, declarations, and examinations relating to the conspiracy, before they were communicated to the house of lords: a striking circumstance, and which plainly proves, that the accused were more countenanced than the accusers.

It was likewise known, that Nottingham paid too much regard to the information of Ferguson, that veteran conspirator, who had lately changed sides, and who, in order to diffuse a disbelief of the plot, affirmed, that the conspiracy was no more than a scheme formed by Frazer and the duke of Queensberry, to decoy some persons, whom the duke hated, into a snare, that he might have an opportunity to effect their ruin, and
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by that means establish his own credit, which began to totter.

Ferguson, however, mentioned one circumstance, which was somewhat singular. He said, that the Jacobites had no design against her majesty's person or government: that, on the contrary, they were glad to see one of the race of Stuart upon the throne: that they intended to raise the pretender to the same dignity, after the queen's decease: and that, on the conclusion of the war, they proposed to procure her the same terms, which king Stephen, and Henry the sixth had obtained, namely, that she should reign during her natural life. If this was not treason against the queen, it was, at least, treason against the government.

Another presumption against Nottingham, was, that he had discharged an officer belonging to the late king James, who had been seized by the governor of Berwick, and who, had he been detained, might have been of great use in detecting the conspiracy. It was moreover observed, that the account of the conspiracy, which he delivered in writing, and which he had taken from the information of the prisoners, was extremely lame and imperfect, and was very different from that verbal declaration, which those
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those persons gave, when examined before the lords.

Maclean, in particular, mentioned several circumstances, that were not to be found in Nottingham's paper. He named the persons who sat in council at St. Germain's. He said, the command was offered to the duke of Berwick, who thought proper to decline it, till trial should be made, whether the duke of Hamilton, whom he judged the more proper person, would not accept it: he likewise explained the particular directions, which had been sent into Scotland, in order to prevent the establishing the succession in that kingdom.

These facts, however interesting, were entirely omitted in Nottingham's paper. Several reflections were made in the house of lords, upon the conduct of that nobleman. It was even moved to pass a censure on the account he had given; but the question being put, it was carried in the negative by a small majority.

The commons were not satisfied with this faint approbation of their favourite minister: they resolved to justify his conduct in a more open manner. They accordingly resolved, that the earl of Nottingham, one of her majesty's principal secretaries of state, for his great ability and diligence in the execution

of his office, for his unquestionable fidelity to the queen and her government, and for his steady adherence to the church of England, as by law established, had highly merited the trust which her majesty had reposed in him. They ordered the speaker to present this resolution to the queen, who replied, that she was glad to find them so well satisfied with the earl of Nottingham, who was trusted by her in so considerable an office.

They perused the examinations of the witnesses which had been laid before them; but, as a proof of their indifference with regard to the issue of the plot, or rather, of their desire that it might be attended with success, they neither passed any judgment, nor offered any advice on the subject; nor did they grant a vote of credit for defraying any extraordinary expence which the farther detection of the conspiracy might occasion.

They even seemed to be somewhat piqued that so much of it had been already discovered, and, as the lords had been the chief means of effecting that discovery, they resolved once more to vent their resentment against that august body. They accordingly presented a second address to the queen, in which they renewed their complaints of the conduct of the lords, which they still affirmed

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ed was without precedent, and prayed her majesty to assert her prerogative, which the peers had so grossly invaded. But the truth is, their principles were by this time so well known, and had rendered them so odious to the nation, that none of their complaints were able to make any impression on the people.

The bottom of this conspiracy could never be fully discovered. Keith had tampered with his uncle to induce him, if possible, to disclose the whole secret; and this, it seems, was the circumstance which the queen declined imparting to the lords, until she should know the success of his endeavours, which happened, at last, to prove ineffectual.

From the examination, however, of the persons who were seized, the lords found reason to vote, that there had been dangerous plots between some persons in Scotland, and the courts of France and St. Germain; and that the encouragement for this plotting arose from the not settling the succession to the crown of Scotland in the house of Hanover. These votes they laid before the queen, in an address, and promised, that when the succession was thus settled, they would endeavour to promote the union of the two kingdoms upon just and reasonable terms.

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They then composed another remonstrance, in answer to the second address which the commons had presented against them. They there observed, that the lower house had discovered the utmost uneasiness at the whole enquiry into the plot, and had employed various arts to obstruct and defeat it; and that, by this conduct, they did not manifest that concern for the queen's safety, and the welfare of the nation, which they affected to entertain. They produced a number of precedents to prove, that their conduct had been regular and parliamentary; and they accused the commons of partiality and injustice in vacating legal elections, when the choice did not fall upon one of the Tories.

These representations of the peers, were drawn up by the lord Somers, one of the ablest lawyers, incorrupt judges, and accomplished statesmen, that ever England produced; and were so much superior to the addresses of the commons, that they contributed greatly to establish the character of the upper, and to lessen the credit of the lower house. In a word, from this and several other incidents, it appeared, that the commons of this parliament were as much inferior to the lords in knowledge and capacity, as they were in zeal for the support of the Protestant succession, and the liberties of the people.

people. The queen, in her answer to this remonstrance, said, that she considered it as a great misfortune to the kingdom, that any misunderstanding should arise between the two houses : and that she should never omit any thing in her power to prevent all occasions of them for the future.

The animosity between the two houses did not terminate with this affair. The election of members had long been a subject of contention in parliament, and of clamour and complaint all over the nation. The Whigs and the Tories had mutually accused each other of the grossest partiality in this particular ; and both of them, perhaps, were equally guilty. The partiality, however, had risen to a much greater height in this parliament, than ever had been observed in any former period. Persons had been admitted to a seat in the house of commons, who had no right to that dignity ; and others had been excluded, however regularly and duly elected.

A check, at last, was given to this growing evil by the spirit and resolution of one man. Mathew Ashby had always enjoyed the right of voting in the town of Aylesbury ; but, in the last election, he had been deprived of that right by the constables, who made the return. Provoked at this injustice
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he brought an action before the assizes, where sentence was given in his favour, and the constables were cast with damages.

The cause was carried into the queen's-bench; and, as this was the first time that any man had maintained his right of voting in a court of law, the judges seem to have entertained the erroneous opinion, that what had never been done, never could be done; as if custom was the only foundation of law. How just soever this reasoning in the court of common-pleas, where the common law is the rule, it was certainly very unjust in the queen's-bench where not the common, but the statute-law is the standard.

The judges, however, influenced by this prejudice, or perhaps biaſſed by party-views, gave orders to quash the proceedings, as no action lay, or had ever been brought on that account. It must be owned, indeed, that they were not, all of them, unanimous in their sentiments. Powel, Gould, and Powis spoke in favour of the order, and alledged, that the right of judging elections in every particular belonged to the house of commons.

But lord chief-justice Holt was of a very different opinion. He said, that this was a matter of the utmost importance, as well to

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the whole nation in general, as to every individual man in particular: that there was a great difference between an election of a member, and a right to vote in that election: that the house of commons were certainly the only judges of the former, whether it had or had not been properly conducted, whether it was free from bribery, fraud, or violence; but that the right of voting in an election was an original right founded either on a freehold of forty shillings a year in the county, or on burgage-land, prescription, or charter, in a borough: that these were, all of them, legal titles, and, as such, were cognizable in a court of law: and that this was evident from the following circumstance, that acts of parliament had frequently been made concerning these titles, which acts were only intended for the regulation of courts of justice.

His opinion, however, was of no avail against that of the three other judges; and the order of the queen's-bench was accordingly given in favour of the constables.

Ashby, disappointed in this quarter, availed himself of a writ of error, and moved the matter into the house of lords. There it was argued with great zeal and ability; and all the judges were ordered to deliver their opinion on the subject.

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On the one hand it was alledged, that if the house of commons had a right, as was univerfally confessed, to judge of the election of their own members, they must likewise have a right to judge of the title of voters ; without which the other could not be determined : that petitions to parliament were frequently grounded on this circumstance, that, in a poll, the right of voting had been granted to some persons, who had no pretence to that privilege, and denied to others, who were possessed of an undoubted title : that hence it appeared, that the commons had a power to judge of this right in some cases ; and if they had it in some cases they must, of consequence, have it in all : that from these premisses it followed, that every thing relating to elections was cognizable by them, and by them only: and that this indeed was indispensably necessary ; because if two independent jurisdictions might determine the same cause ; and if these jurisdictions should give contrary judgements in the matter ; this contrariety must create a difficulty, and even an impossibility in the execution of justice.

On the other hand it was urged, that a single man, who was wronged in this particular, had no other remedy than that of bringing it into a court of law ; as the

house of commons could not examine the right of every voter: that if the person, for whom he would have voted, was returned, he could not, though denied the right of voting, prefer a complaint to the house of commons, since he could not make any objection to the return; and he must therefore bear his wrong without remedy, unless he could bring the matter into a court of law: that, of all the rights of an Englishman, that of voting in elections, was by far the most valuable, as by it he had the honour to be represented in parliament: that the house of commons could give no relief, nor decree any damages to a man, who had been wronged in this particular; they could only set aside one return, and admit of another: that this, however, was no redress to the person, who had suffered the injury; and who being thus deprived of his right of voting, might suffer in his credit, and of consequence in his interest: that since this was a right inherent in a man, it seemed reasonable, that, like all other rights, it should be determined in a court of law: that the abuse was new, was daily growing, had already swelled to an enormous height, and, if not checked in time, might be attended with the most fatal effects: that when new disorders happen,
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new actions must necessarily lie; otherwise there is a failure in justice, which is inconsistent with the very spirit of law: that practices of this nature were of all others the most dangerous and alarming; and if the order of the queen's-bench was confirmed it would contribute greatly to encrease the disorder, as the officers who take the poll, would henceforth consider themselves as effectually screened from all fear of punishment.

Many other argument were advanced on both sides of the question. At length it was carried by a great majority, that the order of the queen's-bench should be set aside, and judgement pronounced according to the verdict given at the assizes.

The commons considered these proceedings as encroachments on their privileges. They passed five different resolutions, importing, that, according to the laws of the land, the commons of England in parliament assembled, had the sole right to examine, and determine all matters relating to the election of their own members: that neither the qualifications of any elector, nor the right of any person elected, were cognizable or determinable any where but in the house of commons: that the practice of examining and determining the qualifications

fications of electors, or the right of persons elected, in any court of law, or in any manner, other than in the house of commons, would expose all mayors, bailiffs, and returning officers, to a multiplicity of vexatious suits, and unsupportable expences, and would subject them to different and independent jurisdictions and inconsistent determinations in the same case, without relief: that Mathew Ashby, having, in contempt of the jurisdiction of the house of commons, commenced and prosecuted an action against the constables of Aylesbury, for refusing his vote at the last election for that borough, was guilty of a breach of the privileges of their house: and that whoever should presume to commence or prosecute any action, indictment, or information, which should bring the right of electors or the persons elected to the determination of any other jurisdiction, than that of the house of commons, such persons, as well as all attornies, solicitors, counsellors, and sergeants at law, soliciting, prosecuting or pleading any case of that nature, were guilty of a high breach of the privilege of the house of commons. These resolutions, signed by the clerk, were fixed upon the gate of Westminster-hall.

The lords were intimidated by such bold proceedings. They appointed a committee to draw up a state of the case; and, upon their report, resolved, that, by the known laws of this kingdom, every freeholder, or other person having a right to vote at the election of members to serve in parliament, and being wilfully hindered by the returning officer from giving his vote, might maintain an action in the queen's courts, against such officer, in order to assert his right, and recover damage for the injury: that to assert the contrary was destructive of the property of the subjects against the freedom of elections, and manifestly tended to encourage corruption and venality in the returning officers, and to subject freeholders and other electors to their arbitrary will and pleasure: that the declaring Matthew Ashby guilty of a breach of the privilege of the house of commons, for prosecuting an action against the constables of Aylesbury, for refusing his vote at the last election, after he had, in the known and proper methods of law, obtained a judgment in parliament for the recovery of damages, was an unprecedented attempt upon the judicature of parliament, and was, in effect, to subject the law of England to the votes of the house of commons: and that the deterring electors, when deprived of their right
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of voting, from prosecuting actions in the ordinary course of law, and terrifying attornies, solicitors, counsellors, and serjeants at law, from soliciting, prosecuting, and pleading in such cases, was a flagrant attempt to controul the law, and to hinder and impede the course of justice.

Copies of the case, and of these resolutions, were sent by the lord keeper to the sheriffs of England, to be circulated by them through all the boroughs of their respective counties. As this was the first question of the kind that had ever happened, no wonder that the nation in general, as well as the two houses of parliament, should differ in their sentiments. The conduct of the lords, however, was so agreeable to the people, and so favourable to their liberties, that it contributed greatly to increase their popularity, and to diminish that of the commons.

About this time, the queen performed an act of generosity, which tended much to endear her to her subjects. This was the abolition of the tenths and first-fruits, which bore extremely hard upon the poorer clergy. These impositions had been first laid by the popes, in the time of the holy wars, and were allotted as a fund for the support of the crusades.

Taxes,

Taxes, however, which are once imposed by so arbitrary a power as the popes then assumed, it is frequently found difficult entirely to abolish, even when the cause, for which they were laid, no longer subsists. Thus, after the conclusion of the war in Palestine, the tenths and first-fruits were established a branch of the papal revenue, and continued in that state till the time of Henry the eighth, when they were abolished. But this indulgence seems only to have been granted with a view of inducing the clergy to consent the more willingly to the Reformation of the church; for that point was no sooner gained, than the tax was revived, and settled as a part of the royal income for ever.

The imposition, indeed, was the more easily borne, as the rates were still at the old valuation, which, in most places, was not above a fifth, and, in some, was not even a tenth of the real value; and as the clergy, if they proved refractory, had often been threatened with a new valuation, in which the rates should be rigorously set to their full extent. The tenths were computed at eleven thousand pounds a year; and the first-fruits, which were more casual, at about five thousand; so that the whole together amounted to the annual sum of between sixteen and seventeen thousand pounds.

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This tax was not levied, nor brought into the treasury, like the other branches of the revenue: the bishops, who had been the pope's collectors, performed the same office for the king; and his majesty employed the produce, in whatever manner he pleased. Strictly speaking, indeed, it ought to have been applied to religious uses; and it might justly have been condemned as sacrilege, should it be diverted to any other end: but so far had it been from being constantly devoted to that sacred purpose, that it had commonly been granted to favourites and sycophants; and, in the time of Charles the second, had been chiefly distributed among his mistresses, and natural children.

Bishop Burnet had examined this matter with great accuracy; and commiserating the poverty of the inferior clergy, had solicited the late king to convert the money towards the augmentation of small benefices. William readily approved the proposal, and intended to carry the scheme into execution immediately upon the conclusion of the war; but before that period arrived, he was persuaded to alter his mind, by the suggestions of the earl of Sunderland, who obtained an assignation upon the tax for two thousand pounds a year, during two lives.

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The bishop, disappointed in this quarter, represented the matter to her present majesty, then princess of Denmark, who promised, that if ever she had it in her power, she would chearfully embrace the first opportunity of performing an act, at once so popular and pious.

The present juncture seemed as proper as any for the execution of the purpose. Accordingly, on the anniversary of her birthday, she sent a message to the commons, importing, that she had remitted the arrears of the tenths to the poor clergy; that she would grant her whole revenue arising out of the first fruits and tenths, as far as it should become free from incumbrances, towards an augmentation of their maintenance: and that if the house of commons could find any method, by which her good intentions to the poor clergy could be rendered more effectual, it would be a great advantage to the public, and very acceptable to her majesty.

The commons immediately brought in a bill, enabling her to alienate this branch of the revenue and create a corporation by charter, to apply it to the use, for which it was intended. They likewise repealed the statute of mortmain, so far as to allow all men to bequeath by will, or grant by deed,
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any sum they should think fit to give towards the augmentation of benefices. This addition was supposed to have been made in hopes, that it would be rejected by the lords, and that the scandal of losing the bill would of course lie upon them. It was opposed indeed, with great warmth by some of the lords, who said, that this law had been made and observed, even during the prevalence of popery, and it seemed not reasonable to open a door for practising on the weakness of dying men.

To this it was answered, that the clergy had no longer the arts of affrighting men by the terrors of purgatory, and by fables of apparitions: that where these, indeed, were allowed to be used, it was absolutely necessary to restrain ecclesiastics from employing artifices, which had procured them such immense riches, and which, if not properly checked, would have in time made them masters of the whole wealth of the world; but where the clergy were deprived of such powerful engines, and were tied down to the plain doctrines of christianity, there was no danger of their ever being able to obtain any legacies, which could in the least be inconsistent with the interests of society. After some debate the bill was carried by a great majority, and was immediately passed into a law.

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The queen was pleased to acquaint the public, that the first motion of this excellent matter came from bishop Burnet. Such an action in a Tory would have intitled him to the character of one of the best and truest friends of the church. But Burnet was a Whig; he had a considerable share in the Revolution; and his principles in church government were extremely moderate; and these vices, as the Tories deemed them, were sufficient to lessen, if not to annihilate, the merit of his good works. As no thanks therefore, were supposed to be due, none were returned him. Addresses of acknowledgement, however, were presented to the queen by all the clergy of England for this instance of her gracious bounty.

The house of commons had usually been the most forward to detect and expose the treachery of admirals; but as the present delinquents happened to be favourites with the house, they would probably have escaped with impunity, had it not been for the public spirit of the lords. The upper house now began an inquiry into the behaviour of admiral Graydon; and after passing some resolutions, equally just and severe, on his conduct, they petitioned the queen to dismiss him from her service. Her majesty was obliged to comply with their request, and as

has been already observed, deprived that officer of all his employments.

The lords at the same time resumed the examination of the earl of Oxford's accounts; and proved the remarks, which had been made upon them by the commissioners of the public accounts, to be false in fact, ill founded, or altogether frivolous and trifling. The commons proposed and sent up a bill for continuing the commission. The lords made some alterations, especially in the nomination of the commissioners; but these were rejected by the commons. The peers adhered to their amendments: the commons refused to admit them: the bill was dropped, and the commission of consequence expired.

No other bill of any importance was passed in this session, except that for raising recruits, which impowered justices of the peace to impress idle persons, for soldiers and marines. On the third day of April the queen went to the house of peers, and having made a short speech recommending unanimity and moderation, prorogued the parliament to the fourth day of July.

So much had the nation been influenced by the late disputes between the two houses, that, immediately after the prorogation of the parliament, a paper appeared, intitled, Legion's humble address to the lords; in
which

which the proceedings of the commons, with regard to, the Aylesbury-election, and the discovery of the Scottish conspiracy, were fully exposed and severely censured. Their conduct in the former instance was taxed as arbitrary, and illegal, contrary to the liberties of Englishmen, destructive of the rights of election, and an invasion of the judicature of the nation.

As to their behaviour in the second case, it was alledged, that their desiring her majesty to extend her prerogative, and thereby to encroach on the privileges of the peers, was the most flagrant treachery, that had ever been committed by any house of commons; as it was offering a most insolent affront to her majesty, and forming a most malicious design against her person, by persuading her to pursue the same measures, which had effected the ruin of her father and grand-father: that it was an unprecedented attempt upon the liberties of the people, and an officious interference with matters, with which they had no concern.

The lords were applauded for their courage, zeal, and fidelity, in vindicating their own undoubted rights invaded by the commons, in their diligent care for the safety of her majesty's person, in detecting the villainous contrivances of her enemies in
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the late plot, and in their assisting the rights and liberties of the people of England, against the invasion and usurpation of the house of commons. And as their lordships were considered as the safeguard and bulwark of the nation, so, in name of the injured freeholders and commons of England, they were assured, that they should be firmly supported and resolutely defended in the further pursuit of these just and glorious measures. Though the contents of this paper were but too true, yet, as they were deemed of dangerous consequence, a proclamation was published, offering a reward of one hundred pounds for the seizure of the author, and half that sum for the apprehension of the printer, neither of whom, however, were ever discovered.

The Tories imagined, that they had so wholly engrossed the confidence of their sovereign, that they would not allow any of the opposite party to partake with them in that distinction. The earl of Nottingham had long pressed the queen to dismiss the dukes of Somerset and Devonshire from the cabinet-council, or, at least to forbear to invite them any more to that private meeting. The queen, though infected with some strong prejudices, was, nevertheless, indued with a considerable share of common sense.

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However much attached to the Tories, she began to perceive, that she could not exclude the Whigs from her councils, and, at the same time, preserve the affections of her subjects. She therefore refused to comply with their request. She even deprived the earl of Jersey of the office of lord-chamberlain, and Sir Edward Seymour of that of comptroller, though both these persons were of the Tory-faction.

Nottingham, piqued at these disappointments, carried the seals to her majesty, and resigned them in disgust. His office of secretary of state was bestowed upon Mr. Harley, speaker of the commons: the earl of Kent was appointed chamberlain, and Henry St. John, secretary at war.

The public imagined, that, after the change of the ministry, the discovery of the Scottish plot would have been prosecuted with greater zeal and activity; but they seem to have forgot, that Harley, though less bigotted than Nottingham, was, nevertheless, a Tory; and that nothing could be expected from a man of those principles.

The new ministers, on the contrary, so far from being more zealous than their predecessors, appear even to have been less careful and diligent. They entirely neglected one captain Lacan, and a young Irish gen-

eleman, both of whom made considerable discoveries; and they even sent them out of the kingdom, probably with a view to prevent their disclosing the little regard which had been shewn them by the ministry. The queen herself escaped not suspicion on this occasion. She was supposed to have a secret attachment to the court of St. Germain's; and this conjecture was strongly confirmed by the disgrace of the duke of Queensberry, whose greatest crime was said to have been the laudable zeal with which he had exerted himself in the detection of the plot.

The Jacobites, though baffled in England, had been able to form a considerable party in Scotland. They had alarmed the inhabitants of that kingdom with the groundless fear of losing their liberties, and of being reduced to the abject condition of a dependent province. The whole nation were so inflamed with the apprehension of this imaginary danger, that they compelled their parliament, which was now sitting, to pass an act, intitled, An act of security, importing, that, in case of the queen's dying without issue, the parliament should immediately meet, and declare the successor to the crown, different from the person possessing the throne of England, unless, before that period, a settlement should be made in parliament, of
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the rights and liberties of the nation independent of English councils : and that, in the mean time, it should be lawful to arm and train the subjects, so as to put them in a posture of defence.

The marquis of Tweedale, who acted as commissioner, long hesitated what course to pursue : the queen, when consulted, seemed wholly irresolute : the earl of Godolphin, on whose advice she chiefly depended, was entirely at a loss what counsel to give her. At last, considering, that in the present juncture, a refusal might be attended with an immediate rebellion, it was deemed more eligible to chuse the least of two evils ; and accordingly the commissioner was impowered to give the royal assent to this dangerous bill.

The Jacobites had no sooner gained this point, than they endeavoured to blow up the flame to a still higher degree. They circulated copies of the act through all the different counties of England. They declared, that the two kingdoms were now separated in such a manner, as to render an union absolutely impracticable. They spread the most groundless reports, that great quantities of arms had been conveyed to Scotland ; and that the natives were preparing for an invasion of England. All the blame of these
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transactions was imputed to lord Godolphin, whom the Tories determined to attack, while the Whigs resolved to defend him with equal zeal and perseverance.

The emperor's affairs were at this time in a most deplorable situation. The elector of Bavaria was master of the Danube as far as Passau : the malecontents in Hungary had made themselves formidable by their success : Vienna was threatened with a siege on both sides ; and, had the Hungarians and Bavarians acted in concert, it must infallibly have been lost. In this forlorn condition, the emperor implored the assistance of her Britannic majesty ; and the duke of Marlborough represented the necessity of undertaking his relief.

This nobleman, about the middle of January, had crossed the sea to Holland, and concerted with the deputies of the States-General, the operations of the ensuing campaign. They resolved, that, instead, of fruitless attempts in the Netherlands, General Overkirk should lie upon the defensive with a small body of troops in that quarter, while the main army should act upon the Rhine under the command of the duke of Marlborough.

Such was the pretext, under which this accomplished general concealed the design
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of marching into the heart of the empire, and delivering the house of Austria from impending ruin; a scheme, which he imparted to a few only, in whose discretion he could safely confide. It was approved by the pensionary and deputy Geldermallen, who secured its reception with the States-General, when it became necessary to communicate the secret to that numerous assembly. Mean while the preparations were made, on pretence of carrying the war to the banks of the Moselle.

On the nineteenth day of April, the duke, accompanied by his brother, general Churchill, lieutenant general Lumley, the earl of Orkney, and other officers of distinction, embarked for Holland; and, on his arrival at the Hague, had a long conference with a deputation of the States, concerning a proposal of sending a large army towards the Moselle. This measure was warmly opposed by the deputies of Zealand, who represented the danger of sending their troops to such a considerable distance; but the duke, to prevent all farther objections, told them, in plain terms, that he had orders to march thither with the British forces.

He accordingly assembled his army at Maestricht; and, on the eighteenth of May, began his march into Germany. The French
were

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were alarmed at this motion, but were totally ignorant of his real design. They imagined, that his intention was to open the campaign with the siege of Traerbach, and penetrate into France along the Moselle. In this belief, they sent a detachment of seven thousand men to that river; and gave out that they intended to attack Huy: a pretence, to which the duke paid no regard.

He continued his march by Bedburg, Kerpenord, Kallecken, and visited the fortifications of Bonne, where he received advice, that the recruits and reinforcements for the French army in Bavaria, had joined the elector at Villingen.

Notwithstanding this junction, he was convinced, from other circumstances, that the enemy were still unacquainted with his design. He therefore advanced with redoubled diligence, passed the Neckar on the third day of June, and halted at Ladenburgh, from whence he wrote a letter to the States-General, giving them to understand, that he had the queen's orders to march to the relief of the empire; and expressing his hope, that they would approve of the design, and allow their troops to share in the honour of the expedition. By the return of the courier, he received their ap-

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probation of the project, and full power to carry their forces along with him.

He then proceeded to Mildenheim, where he was visited by prince Eugene; and next day prince Lewis of Baden arrived at the camp. These three celebrated generals held a long consultation; and the result of the deliberations was, that the duke and prince Lewis should command alternately from day to day; and that prince Eugene should head a separate army on the Rhine. Prince Eugene set out for Philipsburg; and the duke, being joined by the Imperial army under prince Lewis, prosecuted his march by Elchingen, Gingen, and Landthaußen.

On the first day of July, he came in sight of the enemy's entrenchments at Dillingen, and encamped with his right at Amerdeghem, and his left at Onderingen. Hearing that the elector of Bavaria had sent the best part of his infantry to reinforce the count d'Arco, who was posted behind strong lines at Schellenberg, a rising ground on the Danube, near Donawert, he resolved immediately to attack their entrenchments.

On the second day of July, he passed the Wermitz, and advanced towards the enemy; but as the march was long, and the roads bad, he could not come up with them till five in the afternoon, when the attack was
begun

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begun by the English and Dutch infantry, supported by the horse and dragoons. They met at first with a very warm reception, and were even obliged to give way; when prince Lewis of Baden marching up, at the head of the Imperialists, to another part of the line, made a diversion in their favour. After an obstinate resistance, they forced the intrenchments; and the horse entering with the infantry, attacked the enemy with such impetuosity, that they were routed with great slaughter. They fled with the utmost precipitation to Donawert, leaving six thousand men dead on the field of battle.

The duke of Marlborough gained great honour by this battle, during which he gave directions with surprizing presence of mind, and exposed his person to the most imminent danger. The allies took sixteen pieces of cannon, thirteen pair of colours, with all the tents and baggage of the enemy. Nevertheless, they suffered considerably in the action; some thousands of them were slain, including many gallant officers, among whom were the generals Goor and Benheim: count Stirum was mortally wounded: prince Lewis of Baden, the hereditary prince of Hesse Cassel, count Horn, the generals Thungen, Wood, and Palandt received slight contusions.

Next

Next day the Bavarian garrison abandoned Donawert, of which the allies took immediate possession; while the elector passed the Danube in his march to the river Leche, lest the victors should cut off his retreat to his own country. The confederates having passed the Danube, detached a party of four thousand men to cross the Leche, and take post in the country of the elector, who had encamped under the cannon of Augsburg. The garrison of Neuburg retiring to Ingolstadt, the place was secured by the confederates; and the enemy having left a small party in Rain, the siege of that town was immediately formed.

Advice arriving, from prince Eugene that the marshals Villeroy and Tallard had passed the Rhine, at fort Kehl, to succour the elector of Bavaria, the allies detached prince Maximilian of Hanover, with thirty squadrons of horse, as a reinforcement to the prince. In a few days Rain surrendered, Aicha was taken by assault, and Friedburgh was secured.

The duke of Marlborough having now reduced the elector to the last extremity, proposed very advantageous terms of peace, provided he would abandon the French interest, and join the Imperialists in Italy. His subjects, seeing themselves at the mercy

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of the allies, pressed him to accept of these offers, rather than expose his country to ruin and desolation. The elector seemed at first to listen to the proposal, and even agreed to a negociation; but this he did merely to gain time, until the French reinforcements, which were hastening to his relief, should be able to arrive. Finding it impossible to dissemble any longer, he at last consented to sign the accommodation; but the French, in the mean time, appearing in view, he suddenly receded from his promise, and declared he would adhere to his prior engagements.

The generals of the allies were so highly incensed at this disappointment, that they sent out detachments to ravage the country of Bavaria as far as Munich; an expedient, which, however cruel, may sometimes be necessary in the barbarous act of war. The inhabitants of these parts were overwhelmed with terror and consternation; and sent deputies to the duke of Marlborough, offering to pay large sums of money, provided they might be saved from military execution. But the duke replied, "that the forces of
" the queen of Great-Britain were come
" into Bavaria, not to get money, but to
" bring their prince to reason."

Mean

Mean while, the elector being joined by Tallard resolved to pass the Danube at Leuwingen, to attack prince Eugene, who had followed the French army from the lines of Biehl, and lay encamped at Hockstadt. Next day, however, the prince made a motion that disappointed the enemy. Nevertheless they persisted in their design of passing the Danube, and encamping at Blenheim. The confederate generals having held a consultation, resolved, that prince Lewis should undertake the siege of Ingolstadt, while the duke and prince Eugene should observe the motions of the elector. Advice being received, that he had actually passed the Danube, the duke of Marlborough joined the forces of prince Eugene at the camp of Munster on the eleventh day of August; prince Lewis having, by this time, marched off towards the place, which he intended to invest. Next day the duke and prince Eugene took a view of the enemy, who were advantageously posted on a hill near Hockstadt; their right being covered by the Danube and the village of Blenheim, their left by the village of Lutzengen, and their front by a rivulet, the banks of which were steep, and the bottom marshy.

The confederate generals perceived the danger of being forced to lie inactive in

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their camp till their forage should be consumed, and their provision exhausted. They had likewise intercepted a letter from mareschal Villeroy to the elector of Bavaria, importing, that he had received orders to ravage the country of Wirtemberg, and cut off all communication between the Rhine and the allies; a circumstance, which must have been attended with the most fatal consequences. For these reasons they resolved to lose no time, but to attack the enemy without delay. The necessary dispositions being accordingly made, and the orders communicated to the general officers, the army advanced into the plain on the thirteenth day of August, and was drawn up in order of battle. The cannonading began about nine in the morning, and continued on both sides till one in the afternoon.

The French and Bavarians amounted to about sixty thousand men. Their right was commanded by mareschal Tallard, who posted twenty-eight batalions with twelve squadrons in the village of Blenheim, supposing that the allies would make their chief effort upon that place: their left was conducted by the elector of Bavaria, assisted by Marlin, a French general of courage and capacity. The number of the confederates exceeded
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not fifty-five thousand : their right was led by prince Eugene : their left by the lords Cutts and Orkney, the generals Churchill, Lumley, and Ingoldsby : and the duke of Marlborough took his station in the center, as commander of the whole.

The action was begun by nine battalions, English and Dutch, under major general Wilkes, who having passed the rivulet with some difficulty, and filed off to the left of the enemy, attacked the village of Blenheim with great vigour ; but were repulsed after three successive attempts. Mean while the troops in the center, and part of the right wing crossed the rivulet in different places ; and formed on the other side without any interruption from the enemy ; who remained quiet on the hills, of which they were possessed. At length, however, they were charged by the French horse with such impetuosity, and so terribly galled in flank by the troops posted at Blenheim, that they were put in disorder, and part of them obliged to repass the rivulet : but a reinforcement of dragoons coming up, the French cavalry were broke in their turn, and driven to the very hedges of the village of Blenheim.

The cavalry of the left wing, being now completely formed, ascended the hill with

the most determined resolution, charging the enemy's horse, who could no longer stand their ground; though they rallied several times as they retreated. Tallard, in order to make a last effort, ordered ten battalions to fill up the intervals of his cavalry. The duke, perceiving his design, caused three battalions of the troops of Zell to advance and sustain his horse. The line, however, was a little disordered by the superior fire of the French infantry, and even obliged to recoil about sixty paces; but the confederates returning to the charge with redoubled ardour, routed the French horse; and their battalions being thus abandoned, were cut in pieces almost to a man.

Tallard rallied his broken cavalry behind some tents that were still standing; but they were instantly attacked in flank, and put to a total rout. Part of them endeavoured to gain the bridge, which they had thrown over the Danube between Hockstadt and Blenheim, but they were so closely pursued, that those, who escaped the slaughter, threw themselves into the river, where they perished. Tallard, being surrounded, was taken near a mill behind the village of Sonderen, together with the marquis de Monperoux, general of horse, the major-generals di Sepperville, de Silly, de la Valiere, mes-

messieurs de la Messiliere, St. Pouange, de Legondais, and many other officers of distinction.

Mean while Marfin's quarters at the village of Oberklau, in the center, were attacked by ten battalions, under the prince of Holstein-beck, who passed the rivulet with undaunted resolution: but, before he could form his men on the other side, he was overpowered by numbers, desperately wounded and taken prisoner. His battalions, however, being supported by some Danish and Hanoverian cavalry, returned to the charge, and were again repulsed: at length the duke of Marlborough in person advanced to their relief with some fresh squadrons from the body of reserve, and obliged the enemy to retire.

By this time, prince Eugene had compelled the left wing to give ground, after having overcome a great number of difficulties, sustained a very desperate opposition, and seen his cavalry, in which he placed his chief confidence, three times repulsed. The elector and de Marfin, finding it in vain to make any farther assistance, abandoned Oberklau and Lutzengen; and were pursued as far as the villages of Morselingen and Teissenhoven, from whence they retreated to Dillingen and Lewingen.

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The confederates being now masters of the field of battle, surrounded the village of Blenheim, in which, as has been already observed, twenty-eight battalions and twelve squadrons were posted. These troops, seeing themselves cut off from all communication with the rest of their army, and despairing of being able to force their way through the allies, thought proper to capitulate; and accordingly about eight in the evening they laid down their arms, delivered their colours and standards, and surrendered themselves prisoners of war, on conditions that the officers should not be rifled.

This is one of the most glorious and complete victories that ever was gained in any war or by any general. Ten thousand French and Bavarians were killed upon the spot: the greater part of thirty squadrons of horse and dragoons were drowned in the Danube: thirteen thousand were made prisoners, including one thousand two hundred officers: one hundred pieces of cannon were taken, with twenty-four mortars, one hundred and twenty-nine colours, one hundred and seventy-one standards, seventeen pair of kettle-drums, three thousand six hundred tents, thirty-four coaches, three hundred laden mules, two bridges of boats,

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fifteen pontoons, twenty-four barrels and eight casks of silver. The loss of the allies amounted to four thousand five hundred men killed, and about eight thousand wounded or taken.

The emperor was no sooner informed of this signal victory, which had saved his family from impending ruin, than he wrote a letter to the duke of Marlborough, expressing his obligations to that nobleman, and offering to create him a prince of the empire. The duke declined accepting the honour, until he had obtained the consent of the queen; and this being procured, he was immediately advanced to that high dignity, Mildenheim being assigned him as his principality.

The victorious generals, having, by this decisive stroke, changed the face of affairs in Germany, resolved to improve the advantage they had gained. The duke of Marlborough sent a message to prince Lewis, importing, that it would be for the interest of the common cause, to join all their forces together, and drive the French out of Germany, rather than lose time at the siege of Ingoldstadt, which, as well as the other fortresses in Bavaria, would surrender of course.

This opinion was confirmed by the conduct of the French garrison at Augsburg,
who

who abandoned that place on the sixteenth day of August. The magistrates, assembling, sent a deputation to the duke of Marlborough, and implored his protection. That nobleman replied, that they had nothing to fear from the troops of her Britannic majesty, and the States-General, who had come into Germany only with a view to defeat the designs of the enemies of the empire. He accordingly detached a body of troops, and ordered them to take possession of that important city.

The duke having disposed of the French prisoners in Hanau and Francfort, encamped at Sefellingen, within half a league of Ulm. Here he held a conference with the princes Eugene and Lewis of Baden, in which they resolved, that, as the enemy retreated towards the Rhine, the confederate army should take the same route, except twenty-three battalions and some squadrons, to be left for the siege of Ulm under general Thungen.

They began their march on the twenty-sixth day of August by different roads, to the general rendezvous at Bruschal near Philippsburgh. Finding it impossible to come up with the enemy, a proposal was made by prince Lewis of Baden, to undertake the siege of Landau, in order to secure the circle

ele of Suabia from the incursions of that garrison. Considering the consternation which had seized the French upon their late discomfiture, nothing could be more imprudent than such a measure, which gave them an opportunity to recover their spirits, and recruit their forces.

The duke of Marlborough was far from approving this scheme; but as it was warmly urged by prince Lewis of Baden, he did not oppose it with that authority, which he might reasonably have assumed. The prince was exposed to much censure on account of his conduct on this occasion. He was even suspected of a correspondence with the enemy. He was jealous of the glory which the duke of Marlborough had acquired; and he was such a rigid and bigotted Papist, that he repined at the success of an heretical general.

On the twelfth day of September, he advanced towards Landau with the troops destined for the siege; and the duke of Marlborough with prince Eugene encamped at Croon Weissenburgh, in order to cover the attempt. By this time Ulm had surrendered to Thungen, who found in the place two hundred and twenty-two pieces of brass cannon, twenty-two brass mortars, one thousand two hundred barrels of powder, with a
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considerable quantity of provisions, all of which were extremely serviceable to those employed in the siege of Landau.

During the prosecution of this enterprize, Villeroy approached the camp of the confederates, as if he intended to attack them in their entrenchments: but this was a mere bravado: he instantly retired, without having made the least attempt to relieve the place, which was defended with great gallantry till the twenty-third day of November, when the besiegers having lodged themselves on the counterscarps, the breaches being practicable, and dispositions made for a general assault, the garrison capitulated upon honourable terms.

The king of the Romans had come to the camp, in order to have the credit of taking the place: but his behaviour was not such as to give any favourable impression either of his courage or understanding. He was seldom seen in any post of danger; and he was constantly surrounded by his priests and confessors, who seemed to have ingrossed his confidence and affection. He discovered, however, his judgment and impartiality, by bestowing the command of the place upon the count de Frixe, who had formerly defended it with undaunted courage.

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The confederates, resolving to improve the remaining part of the campaign in some useful enterprize, determined next to invest Traerback: with this view the duke of Marlborough advanced towards the Moselle, with a considerable army, the command of which was entrusted to the hereditary prince of Hesse-Cassel, who, at the same time, was appointed to conduct the siege. The trenches were opened in the beginning of November; and though the place was strongly fortified and well defended, the attacks were carried on with such vigour and resolution, that, in about six weeks, the garrison surrendered on honourable terms.

Mean while the duke of Marlborough repaired to Berlin, where he contracted for a reinforcement of eight thousand Prussians to serve under prince Eugene, in Italy, during the ensuing campaign. Thence he proceeded to the court of Hanover, where, as in all other places through which he passed, he was received with marks of the highest regard. When he arrived at the Hague, he was congratulated, by the deputies of the State-General, on his victories at Schellenberg and Hockstadt, and was as much considered and respected in Holland, as if he had been actually stadtholder. In December he embarked for England, where he was

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received amidst the shouts and acclamations of the people, and was welcomed as a hero who had nobly supported the honour of the nation.

In Flanders, nothing of importance was achieved, except the bombardment of Bruges and Namur by baron Spaar, with nine thousand Dutch troops; and two attacks upon the French lines, which were actually forced by Overkirk, though he was not able to maintain the footing he had gained. The elector of Bavaria, who, after his defeat, had retired to Brussels, assembled all his forces, with a view of surprizing the Dutch general: but he was prevented from attempting such a hazardous enterprize by the remonstrances of mareschal Villeroy, who foresaw the little probability of success, and the dangerous consequences of meeting with a repulse.

In Italy, the French being superior to the duke of Savoy, proceeded in their conquests without interruption. They reduced Vercelli, Ivrea, and Verac, the last of which places sustained a siege of no less than five months. The duke bore his losses with greater equanimity than could well have been expected; and told the English minister, that though he was abandoned by the allies,

allies, he should never abandon them in his turn.

The emperor had withdrawn his attention from Italy, and directed his chief force against the malecontents in Hungary; with whom, however, after several rencounters, he was at last obliged to agree to a conference for an amicable accommodation. But, as Ragotski aimed at the principality of Transilvania, and the emperor refused to relinquish that dignity, the treaty broke off, and the war recommenced with redoubled fury.

In Poland, the diet being assembled by the cardinal primate, Stanislaus Lesinski, palatine of Posnania was elected king, and immediately owned by Charles of Sweden, who still maintained his army by contribution in that country, more intent upon the ruin of Augustus, than the preservation of his own dominions; for he entirely neglected the progress of the Russians, who had invaded Livonia, reduced Narva, and even made incursions into Sweden.

Though the Cevennois had never received any succour from the allies, they had yet been able to maintain their ground, and were now become so troublesome to the government, that Lewis was obliged to treat them with greater lenity. He sent mareschal

Villars against them with a fresh reinforcement; but, at the same time, ordered him to try if he could, any how, effect an accommodation. Villars immediately engaged in a negotiation with Cavalier, the chief of the Protestants; and a formal treaty was concluded, by which they were indulged with liberty of conscience and some other privileges: but these articles were very ill observed by the French court.

The success of affairs in Portugal did not answer the expectation of the allies. When king Charles arrived at Lisbon, he found no preparations made for taking the field. The Portuguese ministry were secretly in the French interest: the people, being led intirely led by their priests, had a mortal aversion to those they called heretics: the duke of Schomberg was on ill terms with Fagel, the Dutch general, and both of them were envied by the Portuguese officers: the forces of that nation consisted of raw undisciplined peasants: and the French ambassador had bought up the best horses in the kingdom; so that the troopers could not be properly mounted.

Duke Schomberg, being informed, that the succours, which Lewis had sent to his grandson, were chiefly composed of Irish soldiers, published a proclamation, importing,

ing, that her majesty's gracious pardon should be granted to all those of her subjects, who, being now engaged in the service of her enemies, should desert that interest, and return to their duty: that such of them as were qualified to serve in her majesty's service should be received and maintained in the same rank, which they enjoyed with the enemy: and that such as, on account of their religion, could not serve in her majesty's forces, should be employed in the service of the king of Spain, or in that of any other of her majesty's allies, which they themselves should deem most eligible.

The king of Portugal had promised to enter Spain with Charles by the middle of May: but he was not ready till the beginning of June, when they arrived at Santarem. By this time they had published their respective manifestoes: Charles displaying his title to the crown of Spain, and offering his pardon to all his subjects who should, in three months, join his army; and the king of Portugal declaring, that his sole intention in taking up arms, was to restore the liberty of the Spanish nation, oppressed by the power of France, and to assert the right of his Catholic majesty Charles the third, to that monarchy.

The present possessor, whom they stiled duke of Anjou, though he had been the last in declaring war, was, nevertheless, the first in commencing hostilities. The duke of Berwick, his general, had already entered Portugal, and had made a considerable progress. The town of Segura he took by stratagem: the governor of Salva-terra surrendered at discretion: Pera-garcia submitted at the first summons: Cebreros was reduced without any opposition: Zebredo was abandoned on the approach of the enemy: and the town of Johanna la Viella was taken by assault.

Portugal was at the same time invaded in three different quarters by the marquis de Jeoffreville, prince Tserclaes de Tilly, and the marquis de Villadarias. The duke of Berwick reduced Sovreira Formosa, defended by two Dutch battalions, who were made prisoners of war. He then passed the Tagus, and joined prince Tserclaes.

King Philip arriving in the camp, laid siege to Portalegre; and the garrison, including an English regiment, was obliged to submit at discretion. The next place he attacked was Castel-Davide, which met with the same fate; although the marquis das Minas, in order to make a diversion, penetrated into Spain with fifteen thousand men, took Fuente Grimaldo in Castile, by storm, routed a body of French and Spaniards commanded

manded by Don Ronquillo, and made himself master of Manseinto. The heat of the weather being now intolerable, Philip disposed his troops in quarters of refreshment; and the allies followed his example.

Duke Schomberg finding his advice disregarded by the Portuguese ministry, and foreseeing nothing but disappointment and disgrace, desired leave to resign his commission, which the queen conferred upon the earl of Galway, who, with a reinforcement of eight thousand Dutch, arrived at Lisbon on the thirtieth day of July. On the twentieth of September the two kings repaired to the camp near Almeida, proposing to invade Castile; but they found the river Agueda so strongly fortified by the enemy, that they judged it impracticable to effect a passage. They therefore retired into the territories of Portugal, and the army was dispersed into winter quarters. The Spaniards were now so weakened by the detachments sent towards Gibraltar, which had been reduced by the allies, that they could not undertake any enterprize of importance during the remaining part of the campaign.

The English, though not so successful by sea as they had been in Germany, were, nevertheless, fortunate upon that element. Sir George Rooke, having landed king Charles
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at Lisbon, was ordered by the ministry to cruise in the Mediterranean, and watch the motions of the Toulon squadron. Soon after he received advice from Mr. Methuen, the English minister in Portugal, that a strong fleet from Brest had passed Lisbon, in order to join the Toulon division. Rooke thinking himself unable to cope with the combined fleets, sailed towards the mouth of the Streights, where he was joined by such a number of ships under Sir Cloudesley Shovel, as rendered him a sufficient match for the whole force of the enemy.

He therefore returned into the Mediterranean, and in his way thither, descried the Brest squadron, directing its course towards Toulon. Here, it is affirmed, he might have attacked the enemy, and, as he was greatly superior in number, might have obtained an easy victory: but this opportunity he thought proper to neglect, though, as no inquiry was made into the matter, his reason could never be known. He then proceeded towards Barcelona, where the prince of Hesse D'Armstadt assured him there was a strong party ready to declare for king Charles: but the admiral did not wait to see the result of the enterprize; for, after lying three days before the place, he retired, on pretence of having received orders to sail to Nice,

Nice, which, it was supposed, the French intended to besiege.

On the seventeenth day of July he called a council of war in the road of Tetuan, when it was resolved to make an attempt upon Gibraltar, which was provided with but a weak garrison. Thither he bent his course; and, on the twenty-first day of the month, the prince of Hesse landed on the Isthmus with eighteen hundred marines, and summoned the garrison to surrender: but the governour answered, that the place would be defended to the last extremity. Next day the admiral gave orders to cannonade the town: and perceiving that the enemy were driven from their fortifications at the South Mole-head, he commanded captain Whitaker to arm all the boats, and attack that quarter. But the captains Hicks and Jumper, who happened to be nearest the Mole, pushed on shore with their pinnaces, and entered the fortifications sword in hand,

The Spaniards sprung a mine, by which two lieutenants and about a hundred men were either killed or wounded. Nevertheless the two captains made themselves master of a platform, and maintained their ground, until they were supported by captain Whitaker and the rest of the seamen, who took by storm a redoubt between the Mole and

and the town. The governour, finding it in vain to make farther resistance, immediately capitulated; and the prince of Hesse entered the place, amazed at the success of this attempt, considering the strength of the fortifications, which might have been easily defended by a handful of men against a numerous army.*

The place being supplied with a sufficient garrison, and the command of it entrusted to the prince of Hesse, the admiral returned to the Mediterranean; and on the ninth day of August, discovered the French fleet, to which he immediately gave chase. On the thirteenth he came up with the enemy, as they lay in a line off Malaga ready to receive him, to the number of two and fifty great ships, and four and twenty galleys, under the command of the count de Thoulbuse, high-admiral of France, with the inferior

* It is reported, that, after the admiral had bombarded the town to very little purpose, and with small hopes of success, some hardy sailors ventured to land in a place where it was deemed impossible to climb up the rocks, which, nevertheless they ascended; and when they had reached the summit, they observed all the women had come out of the town to a chapel in the neighbourhood, to implore the protection of the virgin. The tars immediately laid hold of the women; and the inhabitants chusing rather to part with the town than their wives, importuned the governour to surrender.

ferior flags of the white and black divisions. The English fleet consisted of fifty-three ships of the line, exclusive of frigates; but they were altogether destitute of galleys, from which the enemy reaped great advantage. The ships were provided with a sufficient quantity of powder: but some of them had expended the best part of their proportion in the siege of Gibraltar; and no care was taken to supply this deficiency: an omission, to which, in a great measure, may be ascribed the little success of the battle.

The action began about ten in the morning, when the rear and the van, commanded by Shovel, and the Dutch admiral Callemburg, immediately pressed forward to a close engagement, and soon compelled the enemy to give way: but the center of the French being remarkably strong, bore extremely hard upon Rooke's division, several of whose ships, having expended their shot, were obliged to leave the line as entirely useless. The fight, however, was maintained till night, when the French bore away to leeward. Next morning, the English made a shew of renewing the engagement, which the count de Thoulouse thought proper to decline: but the truth is, they were as little desirous of a second battle as the French; for, besides the total want of powder, under which

which many of the ships laboured, most of them were so shattered, that they were wholly unable to sustain a fresh shock. The loss on both sides was pretty nearly equal, though not a single ship was taken or destroyed by either: but the honour of the day seemed to remain with the English.

The news of this action no sooner arrived in England, than people were affected with various sentiments. As Rooke was a Tory, the whole of that party extolled it as a most noble and glorious achievement: but the Whigs, who were not actuated by the same partiality, had some difficulty in conceiving, how a drawn battle with an equal number of French ships, could justly be entitled to that honourable appellation. They alledged, that the English had never been wont to conduct themselves by that maxim, nor had they observed it, would they ever have been able to exalt their character in naval exploits so infinitively above that of the enemy. After the battle Sir George Rooke sailed to Gibraltar to refit, and leaving a squadron of eighteen ships under Sir John Leake, set sail for England, where he arrived in the month of September.

Philip, king of Spain, was no sooner informed of the loss of Gibraltar, than he sent the marquis de Villadarias with an army

my to retake it. The siege lasted four months, during which the prince of Hesse displayed many shining proofs of courage, conduct, and capacity.

The garrison was supplied with men and provisions by convoys from Lisbon, until monsieur de Pontis put a stop to that communication, by entering the bay with a strong squadron : but he was obliged to retire on the approach of Sir John Leake and Admiral Vanderdasson with a superior squadron ; and the marquis de Villadarias finding it impossible to make any impression on the place, thought proper to abandon the enterprize.

After this view of foreign transactions, it is time to return to domestic occurrences. The parliament meeting on the twenty-ninth day of October, the queen in her speech observed, that the great and remarkable success, with which it had pleased God to bless her arms, had excited sentiments of joy and satisfaction in all her subjects : that she hoped they were resolved to contribute their endeavours towards an effectual prosecution of the war ; as a timely improvement of the present advantages, would enable her to procure a lasting foundation of security for England, and a firm support for the liberty of Europe : that as this was her view in un-

dertaking the war, so the attainment of it was the ultimate end of all her wishes : that she never had, nor never would have any interest separate from that of her subjects, whose welfare and happiness it should always be her ambition to promote : that she hoped they would grant her such supplies as should be found necessary for the service of the ensuing year, and the fulfilment of her treaties with all her allies ; the rather, as some of them had large arrears due, and it was of the utmost importance to maintain the public credit, as well abroad as at home : that she begged leave to assure them, that all the supplies they should think proper to give, together with what she could spare from her own expence, should be carefully applied to the public service : that a speedy dispatch was indispensably necessary ; and indeed was the chief thing, which, under the blessing of God, could disappoint and defeat the designs of the enemy : that, for the attainment of the great ends which she had now recommended, it was requisite to preserve an intire concord and unanimity among themselves : that the enemy had no other hope than what arose from their feuds and animosities ; and it was therefore their duty to extinguish these hopes by a quiet and peaceable behaviour : that, for her own
part,

part, she could safely say, that it was her inclination to be kind and indulgent to all her subjects ; she hoped they would do nothing to endanger the loss of the present opportunity ; and she trusted there would be no contention among them, but who should most effectually promote the public welfare.

The different spirit of the two houses appeared remarkably in the respective addresses which they presented to the queen. The lords congratulated her on the great and glorious success of her arms under the command of the duke of Marlborough, without taking notice of Sir George Rooke, whose conduct, they imagined, did not deserve such distinguished praise. The commons, on the other hand, thought proper to mention the battle of Blenheim, and Rooke's naval engagement, as events, forthwith, of equal glory and importance.

Both of them, perhaps, were, in some measure, influenced by prejudice ; though the partiality of the commons was certainly more glaring and inexcusable. As Rooke's engagement was merely a drawn battle, it could be supposed to entitle him, in strict justice, neither to praise nor censure ; or rather, considering the superiority, which the English have always maintained over the

French by sea, it might probably be conceived to imply the latter consequence.

The conquest of Gibraltar, it is true, was an acquisition of great importance to the nation; though it may be safely affirmed, that the real value of it was not, at that time, sufficiently understood, as evidently appears from the commons omitting to mention it in their address; and it is certain, that the reduction of it was not attended with any signal display either of courage or conduct in the admiral: the place submitting almost as soon as summoned; and even the victors being surprized at their success. At best, therefore, it can only be considered as one of those fortunate events, which sometimes happen, contrary to the general expectation, and even contrary to the hopes of those to whose share they fall; though as good fortune in a commander, is commonly supposed to imply good conduct, Rooke ought, in equity, to be allowed that praise.

But the battle of Blenheim was one of the most glorious and compleat victories, that ever was gained in any age or by any army; especially as it was obtained over the best troops that were then in the world, except those, who, by their superior courage, and the superior conduct of their generals, were able to put them to a total rout. To compare

pare it therefore to a drawn battle, was certainly no proof of the discernment or impartiality of the commons. But the inconsistency of these men will be still more apparent from a comparison of their own conduct. In their first address to the queen, they had invidiously, in order to throw a reflection on the memory of king William, complimented Marlborough, even before he had any opportunity of displaying to the full his military abilities, with the remarkable title of the retriever of the glory of the nation : but now that he had actually, tho' not retrieved, at least supported, and perhaps exalted the glory of the nation, they refused to give him any other praise than that of comparing him to a man, who had fought a drawn battle. But the true motive of their conduct was, that Marlborough was, at that time, supposed to be a Tory, and he was now believed to be a Whig ; and as the former of these characters, in the opinion of the commons, implied every virtue, the latter, of course, implied every vice : the former was sufficient to exalt the most common actions into heroic exploits ; the latter, to depress the most heroic exploits into common actions.

Happy was it for the nation, that men, who laboured under such narrow and bigot-

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ted prejudices, were not so far transported by their party-spirit, as to interrupt or retard the prosecution of the war : but they probably reflected, that the people in general were so eagerly bent upon its support and continuance, that they could not take such a step, with any regard to their own safety.

Having, therefore, deliberated on the different articles of national expence, they granted four millions six hundred and seventy thousand four hundred and eighty-six pounds for the service of the ensuing year, to be raised by a land-tax of four shillings in the pound, by the duties on malt, by the sale of annuities, and by various other expedients : and these measures were conducted with such expedition, that the land tax received the royal assent on the ninth day of December ; when the queen, in a short speech to both houses, thanked the commons for their dispatch, which, she said, she considered as a sure pledge of their zeal for her service.

But, though the commons could not avoid giving the first place to the public supply, it appeared by their conduct, that it was only the second in their thoughts. They instantly revived, and prosecuted with unusual eagerness, the bill against occasional conformity ; and some of them were even so
weak

weak as to hope, that, by tacking this to the land tax bill, they might entirely defeat the public supply, and, by that means, put an end to the war.

This, however, was only the hope of the more violent and headstrong of the party. The more sedate and sensible perceived, that such a scheme was absolutely impracticable. They knew that the lords had taken a solemn resolution, which they had entered in their books, and which was founded on the most solid reasons, never to pass any money-bill that was clogged with a tack; and they foresaw, that, if the supply should be defeated by the expedient proposed, the blame would lie, not upon the lords, but the commons. The tack, therefore, was no sooner moved, than it was rejected by a considerable majority.

Some of the Whigs, upon this occasion, were extremely severe on the moderate Tories, whose conduct, it must be confessed, was not altogether consistent. Sir John Hollis, in particular, observed, that, for his own part, he had always been against the bill; but he wondered, that those gentlemen, who had so loudly exclaimed, that, without such a bill, the church was upon the brink of ruin, did not pursue the only method, which could effectually secure its being passed

sed into a law. "I put it," continued he,
 "to the conscience of those gentlemen, who
 "are now come over to our side, whether,
 "now that they have deserted their friends,
 "they were before convinced of the reasonableness and necessity of the bill. I wish,
 "indeed, they had always acted in the
 "same manner; for then they would have
 "saved this house a great deal of trouble,
 "the best part of the nation a great deal of
 "uneasiness, and themselves the confusion
 "of abandoning their friends in this last extremity."

The moderate Tories, however, in order to shew their zeal for the church, agreed to the bill's being passed by itself; and, in that form, it was sent up to the lords. But their lordships were, by this time, so thoroughly acquainted with the secret views of those, who urged this measure with such insidious earnestness, that they would hardly have honoured it with a moment's consideration, had it not been for the sake of the queen, who then happened to be present in the house; and for whose information and instruction, they resumed the subject, and repeated all the arguments, which had formerly been advanced on both sides of the question.

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In the course of the debate the archbishop of York having declared that he was for so much of the bill as concerned the church; the earl of Peterborough observed, that he was glad to hear that learned prelate make a distinction between the "ecclesiastical" and political part of the bill; and he hoped, that all the lords, who, in their conference, were convinced, as his grace seemed to be, that the bill was framed to serve a temporal as well as a spiritual purpose, would avow their sentiments by voting against it. The question being put, whether it should be indulged with a second reading, it was carried in the negative by a majority of twenty-one voices.

The next object, that engrossed the attention of the lords, was the act of security, which had been passed in Scotland. The lord Haversham, in a set speech observed, that the settlement of the succession in that kingdom had been postponed, partly because the Scottish ministry were weak and divided; partly from a received opinion, that the succession was never sincerely and cordially intended by those, who managed their affairs in the cabinet-council: that the act of security, which he termed a bill of exclusion, might possibly be attended with the most fatal consequences; particularly

larly that part of it, by which the heretors and boroughs were ordained to exercise their fencible men every month: that there were two occasions of all troubles, much discontent and much poverty; and whoever would look into the situation of Scotland, would find both of them prevailing in a high degree in that kingdom: that the nobility and gentry of Scotland were as learned and brave as any nation in Europe, and generally discontented: that the common people, were very numerous, very stout, and very poor; and it was hard to say, what such a multitude, so armed, and so disciplined, might do under such leaders, could opportunities suit their intention: that, in any event, it must be extremely dangerous for England, that there should be the least shadow or pretence of necessity for maintaining a regular and standing army in time of peace: that he should always be of opinion, that what had once happened might happen again: that he believed every one wished, that these things had not been done; and that every man must acknowledge, that they ought not to have been done: and that he begged leave to conclude with the following advice of lord Bacon; “let men,” says that philosopher, “beware how they neglect or suffer matter of troubles to be prepared;”
“for

“ for no men can forbid the sparks that may
“ set all on fire.”

The lords resolved to consider these subjects on the twenty-ninth day of November, when the queen repaired to the house, as well to hear the debates, as by her presence to moderate the heat of the parties.

This precaution, however, did not answer the intended purpose. The earl of Nottingham reflected, with equal injustice and severity, on the memory of the late king; but he was immediately answered by lord Somers, who said, that it was extremely unbecoming a member of that house to attempt to sully the memory of so great a prince; and he doubted not, but a man, who could reflect on king William before his successor, would do the same by her present majesty, when once she was gone. A consultation was even held among several peers, whether they should not move to send him to the Tower; but this being the first time the queen had come to hear their debates, the motion was declined out of respect to her majesty.

Though the Tories, by alarming the Scots with the groundless fears of losing their independency, had been the chief means of provoking that people to pass the act of security, they were yet the most forward

in condemning the measure, and in recommending the most rigorous and severe methods to prevent its dangerous consequences. In other words, finding, that the jealousies, with which they had filled the Scots, were insufficient to drive them into a rebellion, they were resolved to push them to that extremity by piquing their pride and inflaming their indignation. With this view they moved that the parliament should pass some votes against the act of security.

The Whigs immediately perceived their aim. They saw that to put any votes in the parliament of England against an act passed in that of Scotland, would have too much the air of assuming a superiority over that kingdom; which, considering the discontents that prevailed among the people, might possibly precipitate them into a general rebellion. They therefore declined such a dangerous experiment; and instead of passing any acts against the Scottish act, proposed, that such steps should be immediately taken, as might most effectually contribute to the security of England.

The committee of peers accordingly resolved, that the queen should be enabled, by act of parliament, on the part of England, to name commissioners to treat about an union with Scotland, provided that the
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parliament of Scotland should first appoint commissioners on their part for the same purpose : that no Scotchmen should enjoy the privileges of Englishmen, except such as were settled in England or Ireland, or the plantations, and such as were or might be engaged in the land or sea service, until an union should be effected, or the succession settled as in England : that the traffic by cattle from Scotland to England should be prevented : that the lord admiral should issue orders for taking such vessels as should be found trading from Scotland to France, or to the ports of any of her majesty's enemies : and that the exportation of English wool into Scotland should be no longer permitted. These resolutions being approved by the house, were ordered to be reduced into bills ; one of which, for an entire union was read a third time, and passed on the twentieth day of December.

The lords then presented an address to the queen, importing, that, having duly considered the dangerous and pernicious effects, that were likely to ensue from divers acts of parliament lately passed in Scotland, they were of opinion, that it was necessary, for the safety of the kingdom, that Newcastle should be put in a posture of defence, the port of Tinmouth secured, and

the fortifications of Hull and Carlisle repaired : that, for the promotion of the same end, it was requisite, that the militia of the four northern counties should be disciplined, and provided with arms and ammunition; a compleat number of troops maintained on the northern borders of England, as well as on the north of Ireland; and the laws against Papists be carried into execution. To this address the queen answered, that she would cause a survey to be made of the places they had mentioned, and lay it before the parliament; and that she would give the necessary directions upon the other particulars they had recommended.

The commons affected to agree with the lords in their sentiments of the Scottish act of security; though, from the manner in which they acted, their sincerity might be justly suspected. They resolved, indeed, that a bill should be prepared for the effectual securing the kingdom of England from the apparent dangers, that might arise from the several acts lately passed in the parliament of Scotland; and this was founded on nearly the same resolutions, which had been taken in the upper house. But when the bill from the lords was submitted to their consideration, they ordered it to lie upon the table; and, in the mean time, having passed their

their own bill, they sent it up to the peers, hoping, probably, that it would meet with the same contempt, which they had shewn to that of their lordships.

In this, however, they were happily disappointed: the lords passed it without any amendments, conscious that they ought to sacrifice all private considerations to the good of the public, and that they could not more effectually mortify the commons, than by passing the bill, which they pretended to approve, and had actually framed.

So violent was the animosity between the two parties, that they greedily laid hold of every opportunity of displaying their different sentiments to the world. The duke of Marlborough, at his first appearance in the house after his return to England, was honoured with the thanks of the peers, in an elegant speech pronounced by the lord-keeper. The commons seem, by this time, to have been ashamed of their inveteracy to this nobleman, and therefore presented him a compliment of the same nature.

But what they were ashamed to avow themselves, the university of Oxford declared for them. Doctor Delaune, vice-chancellor, accompanied by the principal members of the university, attended the queen

with an address of congratulation, in which, in imitation of the commons, they mentioned the signal victory of Blenheim, and the drawn battle in the Mediterranean, as event equally glorious and advantageous to the nation. The queen, however, though strongly attached to the Tories, began at last to be disgusted with their prejudices. She returned a civil but cold answer to the address, and added, that she hoped the university would inculcate those principles, which alone could promote the welfare of the nation, and make her and all her subjects happy.

The commons finding, that they could not at once indulge their spleen against the duke of Marlborough, and enjoy the favour of their sovereign, resolved to alter their sentiments, at least their behaviour, towards that nobleman. Accordingly, having taken into consideration the great services performed by the duke, they presented an address to the queen, intreating her to consider of some proper means to perpetuate the memory of such noble actions.

In a few days the queen returned an answer, importing, that she was inclined to grant the interest of the crown in the honour and manour of Woodstock and hundred of Wooton, to the duke of Marlborough and his

his heirs; and that, as the lieutenancy and rangerhip of the parks, with the rents and profits of the manours and hundreds, were already granted for two lives, she judged it proper to remove that incumbrance. In consequence of this intimation, a bill was prepared, enabling the queen to bestow these honours and manours on the duke of Marlborough and his heirs, and desiring her to advance the money for clearing the incumbrances.

She not only complied with this address, but likewise ordered the comptroller of her works to build, in Woodstock-park, a magnificent palace for the duke, distinguished by the name of Blenheim house. The plan of this building was formed by Sir John Vanbrugh, who seems to have been more studious of grandeur and stability, than propriety and elegance.

By this time Sir George Rooke was laid aside, and the command of the fleet bestowed upon Sir Cloudesley Shovel, now declared rear-admiral of England. On the sixteenth day of December Mareschal de Tallard, with the other French officers taken at Hockstadt, arrived in the Thames, and were immediately conveyed to Nottingham and Litchfield, where they were attended by general Churchill with a detachment of the

royal regiment of horse-guards. They were treated with great respect, and allowed the liberty of riding ten miles round the places of their confinement. Among these prisoners were one mareschal of France, two generals, two lieutenant-generals, five major-generals, four brigadier-generals, and fourteen colonels; a greater number of principal officers than was, perhaps, ever taken in any other battle.

The house of commons had usually been the most eager in censuring the misconduct and treachery of admirals; but, as the present delinquents were, most of them, Tories, they thought proper to recede from their general maxim. The lords, however, who lay not under the same prejudices, resolved to perform this necessary service; and they accordingly set on foot a severe scrutiny into the mismanagements of the navy, which they represented to the queen in a formal address. The queen promised to consider their remarks, and give such directions upon them as might be most for the advantage of the public service.

The remaining part of the session was consumed in disputes and altercations about the Aylesbury-election. The judgment, which the lords gave in favour of Ashby, had been carried into execution; and this
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had encouraged five others of the inhabitants to commence actions against the constables for refusing their votes. The commons considered these proceedings as a high contempt of their votes, and breach of their privileges, and immediately ordered the five prosecutors to be committed to Newgate. When term time arrived, the prisoners petitioned for a *Habeas Corpus* in the Queen's-Bench. Three of the judges alledged, the court could take no cognizance of the matter, and that the prisoners ought to be remanded. But lord chief-justice Holt was of another mind. He thought, that a general warrant of commitment for breach of privilege was of the nature of an execution; and, since the ground of commitment was expressed in the warrant, he conceived it to be extremely plain that the prisoners had been guilty of no offence, and that therefore they ought to be discharged. His opinion, however, was of no avail against that of the other three judges. The petition of the prisoners was rejected, and they were ordered to remain in Newgate.*

Disappointed in this quarter, two of them applied to the queen for a writ of error, in order to lay the matter before the house of lords.

A. D. 1705.

lords. The commons presented an address to her majesty, importing, that they were possessed of an undoubted right to commit persons for breach of privilege: that the commitments of their house were cognizable in no other court whatsoever: that no writ of error had ever been granted, and, in effect, that no writ of error could properly be granted in this case: that they therefore hoped her majesty would allow no such writ to be issued; and that she would consider the alacrity, with which they had supplied the public necessities, as a sufficient reason for complying with this request. The judges were ordered to give their opinion on the subject; and all of them, but two, agreed, that the desiring a writ of error in civil matters was a petition of right and not of grace. It was therefore thought extremely unaccountable, that a house of commons should request her majesty to refuse such writ, as the refusal of it was plainly a breach of law, a denial of justice, and a violation of the oath, which she had taken at her coronation. It was considered as still more surprizing, that they could presume to affirm, that no writ could properly be granted, as the decision of that point belonged, not to them, but to the lords, before whom the cause was to be tried. But what was deemed

ed the most singular circumstance, was, their mentioning the chearfulness, with which they had supplied the necessities of the government, as a reason for complying with their request; as if, forsooth, they had bribed her majesty to infringe the law, and interrupt the course of justice. This at least was a plain confession, that, in granting the supplies, they had been influenced, not by a regard to the welfare of their country, but by a desire of supporting their own party.

Notwithstanding these capital objections to which their address was liable, the queen gave them a civil answer. She said she was sorry to find, that the commons considered a writ of error as contrary to their privileges, of which she should always be as tender as of her own prerogative: that they might therefore be assured, she would not do any thing to give them just cause of complaint: but that, this matter relating to the course of judicial proceedings, being of the highest importance, she thought it necessary to deliberate seriously, what might be proper for her to do in a thing of so great concern.

The commons were not satisfied with this answer; but immediately adopted the most violent measures. They voted all the law-
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yers, who had pleaded on the return of the *Habeas Corpus*, in behalf of the prisoners, guilty of a breach of privilege; and ordered them to be taken into custody. They likewise ordered the prisoners to be removed from Newgate into the custody of their serjeant at arms, lest they should have been discharged by the queen's granting writs of error.

The prisoners, alarmed at these furious proceedings, petitioned the lords for relief. Their lordships passed six different resolutions, importing, that neither house of parliament has any power, by any vote or declaration, to create to themselves any new privileges that are not warranted by the known laws and customs of parliament: that every freeman of England, who apprehends himself injured, has a right to seek redress by action at law; and that the commencing and prosecuting an action at common law against any person not intitled to privilege of parliament, is no breach of the privilege of parliament: that the house of commons, in imprisoning the five inhabitants of Aylesbury, for commencing and prosecuting an action against the constables, for refusing their votes in the election of members to serve in parliament, upon pretence that such prosecution was contrary to their votes, a high contempt of the jurisdiction,

diction, and a breach of the privilege of the house of commons, have arrogated to themselves alone a legislative authority; have claimed a jurisdiction not warranted by the constitution; have assumed a new privilege, to which they can have no title by the laws and customs of parliament; and have thereby, as far as in them lies, subjected the rights of Englishmen, and the freedom of their persons, to the arbitrary votes of the house of commons: that every Englishman, who is imprisoned by any authority whatsoever, has an undoubted right, by his agents or friends, to solicit and obtain a writ of *Habeas Corpus*, in order to recover his liberty by due course of law: that for the house of commons to censure and punish any person for assisting a prisoner to procure a writ of *Habeas Corpus*, or, by vote, or otherwise, to deter men from soliciting, prosecuting, or pleading upon such writ of *Habeas Corpus*, in behalf of such prisoner, is an attempt of dangerous consequence, a breach of the many good statutes provided for the liberty of the subject, and a precedent of pernicious example, by denying that necessary assistance to the prisoner, upon a commitment of the house of commons, which has ever been allowed upon all commitments by any authority whatsoever: and that a writ of error is not a writ
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of grace, but of right, and ought not, when duly solicited, to be denied to the subject, even at the request of the house of commons, the denial of it being an obstruction to justice, and contrary to *Magna Charta*.

The lower house demanded a conference, in which they insisted upon the sole right of determining elections: they affirmed, that they only could judge who had a right of voting; and that they were judges of their own privileges, in which the lords could not intermeddle. The upper-house, in their turn, demanded a free conference which proved ineffectual. New resolutions were taken by the commons, diametrically opposite to those of the peers, who, on the other hand, represented the whole matter to the queen, in an address, importing, that the proceedings of the house of commons against the Aylesbury men were wholly new and unprecedented: that it was the birth-right of every Englishman, who thought himself injured, to seek redress in her majesty's courts of justice: that, if any power could controul this right and prescribe when he should, and when he should not, be allowed the benefit of the laws, he ceased to be a freeman, and his liberty and property were precarious: that the crown laid claim to no such power, and their lordships

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were sure the law had trusted no such power with any subjects whatsoever : that, in former times, the opinion of the house of commons, had been very different from what it was at present : and they therefore hoped, that no importunity of the commons, or any other consideration whatever, would prevail with her majesty to suffer an obstruction to the known course of justice ; but that she would be pleased to give effectual orders for the immediate issuing of the writs of error.

The queen assured them, that she would have complied with their request ; but finding an absolute necessity for putting an end to the session, she knew there could be no farther proceedings in that matter. On that very day, which was the fourteenth of March, she went to the house of peers, and passed the bills that were ready for the royal assent. She then thanked the parliament for having granted her such large supplies ; warned them to avoid the dangerous effects of animosity and dissension ; and ordered the lord-keeper to prorogue them to the first day of May : but, in the beginning of April, they were dissolved, and writs issued for convoking a new parliament.

Soon after the queen, accompanied by the prince of Denmark, made an excursion

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to Newmarket and dined by invitation with the university of Cambridge, where she conferred the honour of knighthood upon Dr. Ellis the vice-chancellor, John Montague council for the university, and the famous Isaac Newton mathematical professor.

The convocation sat at the same time with the parliament: but their proceedings deserve not to be mentioned, as they consisted solely in some fruitless attempts, which the lower house made, to incroach on the privileges of the upper.

The Tory interest now began to decline. The duke of Buckinghamshire was deprived of the privy-seal, and that office bestowed upon the duke of Newcastle, a nobleman of great power and influence with the Whigs. The earl of Montague was created marquis of Mounthermer, and duke of Montague; the earl of Peterborough and lord Cholmondeley were sworn of the privy-council; and lord Cutts was appointed to command the forces in Ireland under the duke of Ormond.

During these transactions in England, the allies had not been remiss in their preparations for the ensuing campaign. The duke of Marlborough had long been revolving a scheme for improving the victory he had gained at Blenheim; and, after the most
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mature deliberation, none appeared more rational, than that of making an impression upon the frontiers of France. The Moselle was, therefore, pitched upon as the scene of action; and large magazines of all sorts were formed at Triers. Two things, however, were necessary for the accomplishment of this design; to procure the concurrence of the Dutch, and the effectual assistance of the German confederates. On the thirtieth day of March, the duke embarked for Holland, where he easily persuaded the States-General to contribute their troops towards the execution of his project. Having gained this material point, immediately repaired to Maestricht, in order to assemble his army.

About the latter end of May, the troops passed the Maese, and continued their march towards the Moselle, under the command of general Churchill; while the duke set out for Creutznach, to confer with prince Lewis of Baden, who excused himself on pretence of his bad state of health. Marlborough visited him at Rastadt, where, after a long consultation, they resolved, that a sufficient number of German troops should be left for securing the lines of Lauterberg and Stollhoffen, under the command of general Thungen; and that prince Lewis should advance

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with a large detachment towards the Saar, to act in concert with the duke of Marlborough. The confederate army passed the Moselle and the Saar in the beginning of June, and encamped at Elst in sight of the enemy, who retired with great precipitation, and entrenched themselves in the neighbourhood of Coningsmarchen.

The duke intended to have besieged Saar-Louis; and the prince of Baden had advanced as far as Creutznach, in order to join him: but he there thought proper to alter his resolution, and, renewing his former pretence of sickness, repaired to the bath of Schlangenbade, leaving the Imperial troops under the command of the count de Frize. He was shrewdly suspected of treachery; but it is more probable, that he only acted from envy of the duke, whose military fame had now eclipsed the reputation of all the other generals.

While this nobleman met with such a mortifying disappointment on the Moselle, the French did not fail to avail themselves of their superiority in the Netherlands, where Overkirk was unable to oppose their progress. They invested Huy, and carried on their attacks with such vigour, that, in fourteen days, the garrison were obliged to surrender themselves prisoners of war. Encouraged

couraged by this success, the elector of Bavaria and mareschal Villeroy undertook the reduction of Liege, and actually began to raise batteries before the citadel.

In the mean time, the duke of Marlborough received a letter from the States-General, informing him of these disasters, and representing the necessity of making a powerful diversion on the Moselle, or of returning immediately to the defence of their frontier. The duke, considering that the delay of the German troops would render the siege of Saar-Louis abortive; that it would be extremely difficult to maintain a numerous army in a ruined country; and that it was absolutely impracticable to attack mareschal Villars, who, besides his superiority in point of number, was posted in an inaccessible camp; resolved to abandon his design on the Moselle, and return to the Netherlands.

Accordingly he decamped on the seventeenth of June, and advanced with such expedition, that he passed the Maese on the second day of July. The enemy were no sooner informed of his approach, than they relinquished the attempt upon Liege, and retired to Tongeren, from whence they retreated within their lines. Marlborough, having joined Overkirk, sent general Schol-

ten with a detachment to besiege Huy; and in three days the garrison submitted at discretion. Not satisfied with this success, the duke resolved to undertake some more important action; and as nothing appeared to be of greater consequence than the forcing the enemy's lines, he determined to exert his utmost endeavours in order to execute that enterprize. With this view he sent general Hompeck to propose the scheme to the States; and, in a few days received their permission to do whatever he should think proper for the good of the common cause. He then explained it in two successive councils of war, by which, at length, it was approved and resolved upon, though some of the Dutch generals declared against the undertaking.

The enemy were posted along their lines, to the number of one hundred battalions, and one hundred and forty six squadrons. The force of the allies was not much more considerable. In order to divide them, Overkirk made a false motion, and passed the Mehaigne, as if he had intended to attack the lines about Messelen; and the stratagem was attended with the desired success. The French weakened the other parts by strengthening that, on which they apprehended the greatest danger.

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The duke, having made the necessary dispositions, the army began to march in the the night between the seventeenth and eighteenth of July, in order to force the French lines at Wagen, Elxheim, the castle of Wangh, and the villages of Wangh, Overhespen, Neerhespen, and Oostmallen. These posts were taken with very little difficulty; but before the infantry could come up, the enemy advanced with fifty squadrons and twenty battalions, and began to discharge a dreadful fire from eight pieces of cannon with triple barrels.

The duke, perceiving that they were continually reinforced from the other parts of the lines, commanded the horse to attack their cavalry, which were soon broken and routed; but, having rallied behind their infantry, and, being interlined with foot, and joined by fresh squadrons, they advanced again towards the allies, who were now supported by their infantry, and moved forward to receive them. After a short, but obstinate dispute, the enemy's horse were put to flight, and pursued to a considerable distance. The infantry, seeing themselves abandoned in the plain, retreated with great precipitation, between the villages of Heilshheim and Gershoven, where, being joined by the rest of their army, they formed
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again in order of battle. Mean while, the duke Marlborough caused all his troops to enter the lines; and extended his right towards the great Geete before Tirlemont, where the enemy had left the battalion of Montluc, which, upon the first summons, surrendered at discretion.

In this action, the confederates took the marquis d'Alegre and the count de Horne, lieutenant-generals, one major-general, two brigadier-generals, with many other officers, and a great number of common soldiers, a large quantity of standards, four colours, one pair of kettle drums, and eight pieces of cannon. The duke of Marlborough behaved, during the whole engagement, with that courage and presence of mind, which were so peculiar to his character, and he was frequently exposed to the most imminent danger. While he was advancing to the charge, at the head of several squadrons, a Bavarian officer rode up to attack him sword in hand; but, in raising himself on his stirrups, in order to strike with the greater advantage, he fell from his horse, and was immediately slain.

The troops commanded by monsieur d'Alegre, being thus driven from the lines, the elector of Bavaria and mareschal de Villeroy passed the great Geete and the Deule with
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the utmost expedition, and possessed themselves of the strong camp of Park, their left extending to Rooselaer, and their right to Wineselen, against the height of Louvain. From this place, the elector of Bavaria wrote the following letter to his favourite, the baron of Malknecht, which will best shew the sentiments which his highness entertained of their late discomfiture : “ Dear
 “ Baron, God forgive those, who suffered
 “ themselves to be surprized. The army is
 “ all here, and the evil is not so great as
 “ to be past remedy. The country of Bra-
 “ bant may be saved, as well as Antwerp,
 “ if it please God. I am well, but exceed-
 “ ingly fatigued.”

Mean while the duke of Marlborough advanced towards the camp at Park, and, on the eighteenth of August, came in sight of the enemy, who extended from Overysche near the wood of Soignies, with the little river Ysche in their front, so as to cover Brussels and Louvain. The duke proposed to attack them immediately, before they could recover from their consternation ; and Overkirk approved of the motion. But it was opposed by general Schlanbenburgh and other Dutch officers, who had conceived a grudge against the duke, and who represented the scheme in such a light to the de-
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puties of the States, that they refused to give their concurrence.

The duke, being obliged to abandon the project, wrote an expostulatory letter to the States-General, complaining of the diminution of his authority, and of their having withdrawn that confidence, with which they had honoured him, while he commanded their troops in Germany. This letter being published at the Hague, excited great murmurs among the people. The burghers of Amsterdam, in particular, were so highly incensed, that they went to the stadthouse in a body, exclaiming against the conduct of the deputies, and insisting that the duke of Marlborough should be vested with fuller powers. But the duke, with a magnanimity truly admirable, exerted himself with great industry, in allaying those heats and animosities, which were likely to arise on the occasion.

The little town of Sant-Leuwe, situated in the middle of a morass, and constituting the chief defence of the enemy's line, being taken by lieutenant-general Dedem, the duke caused the lines from this place to Wasseigne to be levelled, and the town of Tirlemont to be dismantled; and then passing the Demer, encamped at Arschot on the nineteenth day of September. About the latter end of the
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month he marched to Herentals, and from thence repaired to the Hague, where he had several conferences with the pensionary. In a few days he returned to the army, which decamping from Herentals, proceeded to Brecht. On the twenty-fourth day of October the enemy reduced the town of Diest; but, in order to compensate this loss, Santoliet was taken by the count de Noyelles on the twenty-ninth of the same month.

The emperor Leopold dying at Vienna on the fifth day of May, was succeeded in the Imperial dignity by his eldest son Joseph, king of the Romans, a prince who resembled his father in mildness of temper, narrowness of intellect, and attachment to the Romish superstition. In consequence of an invitation from his Imperial majesty, the duke of Marlborough set out for Vienna, where he was treated with great respect, and concerted with the emperor the operations of the ensuing campaign. After visiting the courts of Berlin and Hanover, he returned to the Hague, and persuaded the States-General to furnish an additional number of ten thousand men, as a reinforcement to the army of prince Eugene in Italy. In a few days he set sail for England and arrived at St James's on the thirteenth day of December.

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The campaign upon the Rhine did not produce any event of importance. The Imperialists were commanded by prince Eugene; the French, by the duke de Vendome. The former reduced Drusenheim and Hagenau, and forced the enemy's lines at the place last mentioned. He even attacked the French at Casano, but was not able to gain any advantage over them. The duke de Feuillade, who commanded a separate army near Turin, reduced Chivas, and invested Nice, which, after an obstinate defence, surrendered in December.

The duke of Savoy was now deprived of all the considerable places in his dominions except Coni and Turin; and his little army was reduced to twelve thousand men, whom he could hardly support. His dutchess, his clergy, and his subjects in general, pressed him to submit to the necessity of the times; but he resisted all their importunities, and adhered to the alliance with incredible fortitude. He forbade his ministers to talk on the subject: he excluded all the bishops and clergy from his councils: and when he had occasion for a confessor, he chose a priest indifferently, either from the Dominicans or Franciscans.

The campaign in Portugal began with a very promising appearance; but the event did

did not answer the general expectation. The allies invaded Spain by the two different frontiers of Beyra and Alentejo. Their army in the last quarter, commanded by the conde das Galveas, and under him by the conde de la Coriona, the earl of Galway, and baron Fagel, invested the town of Valencia d'Alcanatra, and took it by assault: the garrison of Albuquerque, dreading the same fate, submitted upon terms: and, the weather by this time being intolerably hot, the troops were sent into quarters of refreshment.

The marquis de las Minas, who commanded the Portuguese in the province of Beyra, reduced the town of Salva terra, plundered and burned Sarca, but was obliged to retire to Penamacos on the appearance of the enemy. In the beginning of October, the confederates being re-assembled, invested Badajox by the advice of the earl of Galway, who while he was holding up his hand in giving directions, lost it by a cannon-ball, and was obliged to leave the trenches; so that the conduct of the siege was left to general Fagel. He carried on the attacks with such vigour, that the place, in all probability, must have soon surrendered, had not the marquis de Theffe found means to throw a reinforcement into it;

and then the confederates abandoned the enterprize.

The affairs of Hungary were still involved in the utmost confusion. The court of Vienna pretended that the malecontents were entirely ruined : but Ragotzki, their leader, was still in arms, and baffled all the attempts of the Imperial forces. In Poland the old cardinal primate owned Stanislaus, but died before his coronation, which was performed by the bishop of Cujavia.

In the beginning of winter, king Augustus, accompanied by two attendants, had passed through Poland in disguise to Lithuania, where he assumed the command of the Russian army ; and the campaign was protracted through the whole winter season, notwithstanding the severity of the weather in that northern climate. In the spring the Swedish general, Reinschild, obtained a complete victory over the Saxon army, though near twice his number, which was either cut in pieces or taken, with all their baggage, provisions, and military stores. The king of Sweden was earnestly solicited to a peace ; but he rejected all proposals on that subject with invincible obstinacy. His courage, conduct, and capacity, were universally applauded : the original cause of his resentment was allowed to be well founded ; but

but he was thought to be too implacable in his revenge.

In the course of this year the naval operations of the allies were conducted with equal spirit and success. King Philip of Spain being determined, at all events, upon the recovery of Gibraltar, sent mareschal de Thesse to renew the siege, while De Pontis was ordered to block up the place by sea with his squadron. These French officers prosecuted the siege with such vigour, that the prince of Hesse was obliged to apply for relief to Sir John Leake, who, with the English fleet, lay in the harbour of Lisbon.

Leake, being joined by Sir Thomas Dilkes with a small squadron from England, immediately set sail: and on the ninth day of March descried five ships of war hauling out of the bay of Gibraltar. These were commanded by De Pontis in person, to whom the English admiral gave chase. Three of them were taken after a very faint resistance; and the other two ran ashore to the westward of Marbella, where they were burned by the enemy.

The remaining part of the French squadron had been driven from their anchors, and taken shelter in the bay of Malaga; but now they hoisted sail, and made the best

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their way to Toulon. The mareschal de Thesse, being thus deprived of the assistance of the fleet, turned the siege of Gibraltar into a blockade and retired with the greater part of his forces.

But their most remarkable achievement of this summer was the reduction of Barcelona by the famous earl of Peterborough and Sir Clouesley Shovel, who, in the latter end of May, sailed from St. Helens with the English fleet, having on board a body of five thousand land-forces; and on the twentieth day of June, landed at Lisbon, where they were reinforced by Sir John Leake and the Dutch admiral, Allemonde. King Charles having received assurances, that the province of Catalonia and the kingdom of Valencia were attached to his interest, resolved to repair into those quarters, and undertake some action of importance.

Accompanied, accordingly, by the earl of Peterborough and other officers of distinction, he embarked on board of the Ranelagh; and the fleet sailed on the twenty-eighth day of July, the earl of Galway having supplied them with two regiments of English dragoons. At Gibraltar they took on board the English guards, and three old regiments, in lieu of which they left two new raised battalions. On the eleventh day
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of August they put into the bay of Altea, when the earl of Peterborough published a manifesto, importing, that he was not come to take possession of any place, in the name of her Britannic majesty, or of the States-general, but to maintain the just right of the Austrian family to the crown of Spain, to defend the good and loyal subjects of the Spanish monarchy, and to free them from the unsupportable government of foreigners. Encouraged by this declaration, the inhabitants flocked from all quarters, acknowledging king Charles as their lawful sovereign. They seized the town of Denia for his service; and he sent thither a garrison of four hundred men under the command of major-general Ramos.

On the twenty-second, they arrived in the bay of Barcelona: the troops were disembarked to the eastward of the city, where they possessed themselves of a strong camp; and were well received by the country-people. On the twenty-eighth king Charles landed amidst the acclamations of an infinite multitude from the neighbouring towns and villages, who threw themselves at his feet, and kissed his hand, exclaiming with a transport of joy, "long live the king."

The inhabitants of Barcelona were strongly attached to the house of Austria, but

were overawed by a garrison of five thousand men, commanded by the duke of Popoli, Velasco, and other officers, who had espoused the cause of king Philip. Considering the strength of such a garrison, and the small number of the allied army, nothing could appear more desperate and dangerous than the design of attacking the place; yet this was proposed by the prince of Hesse D'Armstadt, who served in the expedition as a volunteer, warmly recommended by king Charles, and readily approved by the earl of Peterborough, and Sir Cloudesley Shovel.

The siege was accordingly formed; but, as a previous step towards prosecuting the operations, they resolved to reduce the fort of Montjuic, strongly situated on a hill that commanded the city. The outworks were carried by assault, with the loss of the gallant prince of Hesse, who was shot through the body, and in a few hours died; then the earl began to bombard the body of the fort; and a shell happening to fall into the magazine of powder, blew it up, together with the governour and some of the principal officers; an accident, which struck such a panic into the garrison, that they immediately submitted without further resistance.

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Possessed of this important post, the English general erected his batteries against the town with the help of the miquelets and seamen; and the bomb-ketches fired with such terrible execution, that in a few days the governour surrendered upon terms. All the other places in Catalonia, except Roses, declared for king Charles; so that the largest and richest province of Spain was conquered by an army scarce double the number of the garrison of Barcelona.

Charles was so highly charmed with the bravery of the troops and the conduct of the officers, that he wrote a letter with his own hand to the queen of England, containing a full and circumstantial account of his affairs, the warmest expressions of gratitude, and the highest encomiums on her subjects, particularly the earl of Peterborough. In a few days a council of war was assembled, and the result of their deliberations was, that the king and the earl should continue in Catalonia with the land-forces; that Sir Cloudesley Shovel and admiral Allemonde should return to their respective countries: that twenty-five English and fifteen Dutch ships of war should winter at Lisbon under the command of Sir John Leake, and the Dutch rear admiral, Wassenæer; and that four English

glish and two Dutch frigates should be left at Barcelona.

Velasco was conveyed to Malaga, with about a thousand men of his garrison, the rest having voluntarily enlisted in the service of king Charles, who formed from among them a body of guards; and six other regiments were raised by the States of Catalonia. The conde di Cifuentes, at the head of the Miquelets and Catalans, who were in the interest of the house of Austria, secured Tarragona, Tortosa, Lerida, San-Matheo, Gironne, and other places. Don Raphael Nebot deserted the service of Philip with his whole regiment of horse, and joining general Ramos at Denia, made him himself master of Xabea, Oliva, Gandia, and Alzira, in Valencia.

Flushed with such unexpected success, they advanced to the capital of the same kingdom, which they took, together with the marquis de Villa Garcia, the viceroy, and the archbishop. Care, however, was not taken to improve these advantages. The court of Charles was split into factions, and so much time consumed in disputes, that the enemy had leisure to prepare for resistance. The conde de las Torres, an officer of known courage and experience, was sent into Valencia, with a body of six
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thousand men, and immediately invested San-Mattheo, guarded by colonel Jones with five hundred Miquelets.

This was a place of so much importance, that upon the preservation of it, depended the safety of the whole province, and yet its relief was deemed impracticable. It was situated at the distance of thirty leagues from the city of Barcelona : Charles could not spare a sufficient number of troops for raising the siege ; and, in any event, the garrison could not be supposed to be able to hold out till assistance should be sent them. In this extremity the earl of Peterborough undertook to effect its relief with a body of twelve hundred men ; and the method, by which he accomplished this project, was as admirably contrived as successfully executed.

He set out in the night with his handful of troops, and advancing through by-ways, the better to conceal his march, arrived in a few days in the neighbourhood of San-Mattheo. Conscious, however, that he was utterly incapable to relieve the place by open force, he resolved to deliver it by a secret stratagem. He wrote a letter directed to colonel Jones, informing him, that he was coming to his assistance with a considerable army. He told him, that, at a certain hour, he should appear on the hills
that

that overlooked the town : and he ordered him, at that very moment, to open the gates, and rush out upon the enemy ; by which means they might entirely be cut off.

Two copies of this letter were intrusted to two several messengers. One of these was let into the secret ; the other was wholly ignorant of the cheat, and was really convinced that the earl's force was as great as pretended. The former was ordered to betray his letter into the hands of the conde de las Torres, but to refrain from saying any thing of the earl's numbers ; lest, upon a discovery of the truth, he should be exposed to the punishment, which he might be supposed to deserve. The latter was commanded to lie hid in the mountains, until he should hear from his companion.

The conde had no sooner perused the letter of the first messenger, and received information where the other was concealed, than he dispatched a party to apprehend him. Comparing the two letters and finding them to agree, he next examined the messengers. It is hard to say, whether the artificial account of the one, or the sincere confession of the other, had the greatest effect. Certain it is, the conde was so much alarmed, that he immediately decamped, and retired with the utmost expedition. Such indeed was

was the consternation of his men, that had the earl possessed a few more troops, he might easily have attacked them, and, perhaps, have obtained a complete victory. But he was content to let them march off unmolested, and thought it sufficient honour, that, with a party of no more than twelve hundred men, he had been able to compel an army of six thousand to abandon their undertaking.*

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* The letter, which the earl of Peterborough wrote to colonel Jones, upon this occasion, is so curious: it is so expressive of the spirit, ingenuity, and resolution, which distinguished the character of that great man, that we need not, we believe, make any apology for inserting a copy of it at full length. It was conceived in the following terms:

“ You will hardly believe, I doubt, what this letter informs you of, if it comes safe to you; and, though I have taken the best precautions, it will do little prejudice, if it falls into the hands of the enemy, since they shall see and feel the troops, almost as soon as they can receive intelligence, should it be betrayed to them. The end, for which I venture it to you, is, that you may prepare to open the farthest gate towards Valencia, and have your thousand miquelets ready, who will have the employment they love, and are fit for, the following and pillaging a flying enemy. The country is as we could wish for their entire destruction. Be sure upon the first appearance of our troops, and the first discharge of our artillery, you answer with an English halloo, and take to the mountains on the right,
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The earl, having so gloriously atchieved this important enterprize, possessed himself of

with all your men. It is no matter what becomes of the town: leave it to your mistresses. The conde de las Torres must take the plains, the hills on the left being almost impassable, and secured by five or six thousand of the country-people. But what will most gall them, the old regiment of Nebot, which revolted to us near Valencia, is likewise there."

"I was eight days ago myself in Barcelona, and I believe the conde de las Torres must have so good intelligence from thence, that he cannot be ignorant of it. What belongs to my own troops, and my own resolutions, I can easily keep from him, though nothing else. You know the force I have, and the multitudes that are gathering from all parts against us: so that I am forced to put the whole upon this action, which must be decisive, to give any hopes to our desperate game."

"By nine or ten, within an hour after you can receive this, assure yourself you will discover us on the tops of the hills, not above two cannon-shot from the camp."

"The advantages of the sea are inconceivable, and have contributed to bring about what you could never expect to see, a force almost equal to the enemy in number; and, you know, less would have done our business. Besides, never men were so transported, to be brought with such secrecy, so near an enemy. I have near six thousand men locked up this night within the walls of Fraguera: I do not expect you to believe it, till you see them."

"You know we had a thousand foot and two thousand dragoons in Tortosa. Willes, with a thousand foot,
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of Nules, and purchasing about eight hundred horses at Castillon de la Plana, began to form a body of cavalry, which did considerable service in the sequel. Having assembled his little army, consisting of ten squadrons of horse and dragoons, four battalions of regular troops, and about three thousand militia, he advanced to Molviedro, the ancient Saguntum, which was surrendered to him by the governor, brigadier Mahoni.

At the same time he excited such jealousies and suspicions between this officer and the Spanish general, that the latter was more anxious to guard against the supposed treachery of the former, than to interrupt the earl's march to Valencia, where he was received by the priests and friars in their respective habits,

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English and Dutch came down the Ebro in boats; and I embarked a thousand foot more at Tarragona, which I landed at Vinares; the artillery from thence I brought in country-carts. It was easy to assemble the horse, Zinzendorf and Moras are as good as our own, and, with our light dragoons, make in all near two thousand. But the whole depends upon leaving the enemy to retreat without interruption."

"Dear Jones, prove a good dragoon: be diligent and alert; and preach that welcome doctrine to your miquelets, *plunder without danger.*"

"Your friend,

PETERBOROUGH."

and by the inhabitants in general, with every demonstration of joy.

About this time was fought a most obstinate battle, at St. Istevan de Litera, where the chevalier d'Asfeldt, with nine squadrons of horse and dragoons, and as many battalions, all of them French, attacked colonel Willes at the head of a small party; but this last being supported by lieutenant-general Cunningham, who was mortally wounded in the action, repulsed the enemy, though eight times his number, with the loss of four hundred men killed upon the spot.

The attention of the English was now wholly engrossed by the election of members for the new parliament. The Tories, conscious of their own unpopularity, exerted themselves with great vigour and activity on the occasion. They raised the cry of the church's being in danger: the high-churchmen sounded the same alarm: the Jacobites joined in the common lamentation: even the Papists, in the abundance of their philanthropy, were affected with the general panic: the Paris gazette contained an account of the great sorrow that prevailed in France, at the approaching ruin of the good church of England: and books were wrote and dispersed over the nation, to infuse into the people the
same

same apprehensions. Strange that so many co-operating engines should be able to produce so little effect! But the truth is, the designs of the Tories were become so notorious, and the falsity of their pretences was so well known, that all their endeavours proved ineffectual; and the Whigs obtained a considerable majority.

The earl of Godolphin had hitherto maintained a neutrality between the parties; but now observing the Whigs to predominate, he declared in their favour with greater resolution. By his interest, joined to that of the duke of Marlborough, the great seal was taken from Sir Nathan Wright, who, by his weak and avaricious conduct, had incurred the general contempt of the nation; and the office was bestowed upon Sir William Cowper, with the title of lord-keeper. This was a lawyer of good extraction, distinguished abilities, engaging manners, and eminence in his profession. He was attached to the Whig-party, and had long been considered as one of the best speakers in the house of commons. The new parliament meeting on the twenty-fifth of October, a violent disputation arose about the choice of a speaker. The Tories recommended Mr. Bromley, and the Whigs proposed Mr. John Smith, who was elected by a considerable majority.

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The queen, in her speech to both houses, said, that she hoped they were met with a determined resolution to prosecute, with vigour, the necessary war, in which they were engaged: that, should the French king be allowed to continue master of the Spanish monarchy, he would soon be enabled to destroy the ballance of power in Europe, and to engross to himself, the trade and wealth of the whole world: that no good Englishman could be content quietly to sit still, and acquiesce in such a prospect; and, least of all, at present, when there were good grounds to hope, that, by the blessing of God upon the arms of the allies, a foundation was laid for restoring the house of Austria to the Spanish throne; an event which would be equally glorious and advantageous for England: that the English had learned, by dear-bought experience, that the French would never keep any peace longer, than till they could find an opportunity of dividing the allies, and attacking some of them with a prospect of success: that her allies, she believed, were of the same opinion, and would thence be induced to embrace such measures, as would enable them, next campaign, to act offensively against the enemy, in all quarters: that she therefore hoped the house of commons would grant her the necessary supplies for prosecuting the war: that the firmness

ness and fortitude of the duke of Savoy were truly admirable; and that she had exerted her utmost endeavours to encourage him to persevere in the same conduct: that the king of Prussia's forces had been extremely serviceable; and she considered their approbation of the treaty with that prince, as a strong presumption, that they would enable her to renew it for another year: that she begged leave to assure them, that whatever should be granted by parliament, for supporting the charges of the war, should be applied to the purposes, for which it was allotted, with the utmost fidelity and œconomy, as well as what she could spare out of her own revenue, beyond the necessary expences of government: that, as by an act of parliament passed in the course of last winter, she was empowered to appoint commissioners for England, to treat with commissioners to be empowered by authority of parliament in Scotland, concerning a nearer and more compleat union between the two kingdoms, as soon as an act should be passed, in Scotland, for that purpose; she thought proper to acquaint them, that such an act had been lately passed, and that she intended, in a short time, to expedite commissions for beginning the treaty, which she heartily wished might prove successful; convinced, as she was, that an union

of the two kingdoms would not only prevent many inconveniencies, which might otherwise arise, but must likewise conduce to the peace and welfare of both kingdoms; and she therefore hoped, they would chearfully assist her in bringing this great work to a happy conclusion: that there was an union of another kind which she thought it her duty to recommend to them in the most earnest and pressing manner; and that was an union of minds and affections amongst themselves, a circumstance, which, above all things, would disappoint the hopes, and defeat the designs of their common enemies: that she could not, but with grief, observe, that there were some amongst them, who endeavoured to foment animosities; but she persuaded herself that their number would be found to be very small, when the parliament should appear to assist her in discountenancing and defeating such insidious practices: that she mentioned this with the greater warmth, because there had not been wanting some so very wicked and malicious, as even to suggest, in print, that the church of England, as by law established, was at this time in the most imminent danger: that, she hoped, there was not one of her subjects, who could really entertain a doubt of her affection for the church, or so much

as suspect, that it would not be her chief care to support it inviolate, and transmit it safe to posterity; and therefore it might be taken for granted, that those, who propagated such clamours, were enemies to her and the kingdom, and only meant to cover designs, which they durst not publicly own, by endeavouring to fill the nation with unreasonable fears, and groundless jealousies: that she must be so plain as to tell them, that the best proofs they could give, at present, of their zeal for the preservation of the church, would be to join heartily in prosecuting the war against an enemy, who was certainly engaged to extirpate the Protestant religion, as well as to reduce the kingdom of England to slavery and subjection: that, for her own part, she was firmly resolved, by God's assistance, to do all in her power for promoting such a desirable end: that she would always zealously maintain the church of England, as by law established, and inviolably maintain the toleration: that nothing should be wanting on her part, to allay those unhappy divisions and animosities, which prevailed in the nation, and make all her subjects safe and secure: that she would endeavour to promote religion and virtue, to encourage trade, and to do every thing else, that might tend to render them a
happy

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happy and flourishing people; and that those, who should zealously concur with her in prosecuting those great and good designs, might be always assured of her favour and kindness.

This speech, which was thought to be composed by the new lord-keeper, was received with applause by the whole nation. The two houses presented addresses in the warmest terms of duty and affection. The commons, in a second, assured her majesty that they would assist her in bringing the treaty of union to a happy conclusion. They likewise desired, that the proceedings of the last parliament of Scotland, relating to the union and succession, might be laid before them. The lords had solicited the same indulgence; and her majesty promised to comply with their request. The lower house having discussed and decided some controverted elections, proceeded to examine the estimates for the service of the ensuing year, and readily granted the necessary supplies.

The Tories, conscious, that they had now forfeited the favour of the sovereign as well as the esteem of the people, greedily laid hold of every opportunity to vent their spleen, to disturb the government, and to effect the ruin of the opposite party.

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On the fifteenth of November, while the queen was in the upper house, the lord Haverham, at the end of a long speech, in which he reflected on the conduct of the duke of Marlborough and the behaviour of the Dutch, moved, that an address should be presented to her majesty, desiring her to invite the presumptive heir to the crown of England, to come and reside in the kingdom.

This motion was strongly supported by the duke of Buckingham, the earls of Rochester, Nottingham, and Anglesey. They alledged, that there was no method could be more effectual for securing the succession, than that of the successor's being upon the spot, ready to assume and maintain his right against any pretender whatsoever; and that it appeared from the whole course of the English history, that, when the throne became vacant, the first comer had always succeeded in his pretensions.

The proposal was warmly opposed by the Whigs, who knew it was so disagreeable to the queen, that she would never give her consent. They urged, that this was a matter which ought wholly to be left to the management of her majesty: that it was neither safe for the crown nor nation that the heir should be rendered independent of the queen: that a rivalry between the two courts might produce

duce distractions, and be attended with very ill consequences: that the princess Sophia had expressed an entire satisfaction in the assurances of the queen, who had promised to maintain her: that the nation was prepared for her reception, by the orders, which the queen had given, to name her in the daily prayers of the church: that endeavours had been used to persuade the Scots to declare the same successor: that one great security, indeed, was still wanting, namely, to make some proper provision for proclaiming and sending for the successor, and for maintaining the public quiet, and carrying on the government, till her arrival in the kingdom; and it seemed therefore necessary to concert some plan for answering these salutary purposes.

This expedient was first proposed by Burnet of Sarum, and was supported by the lord-treasurer, and the Whigs in general. The question being then put, whether to approve of the original motion, it was carried in the negative by a great majority.

In the course of the debate the queen heard herself treated with great disrespect by several of the Tories, who had formerly professed the most inviolable attachment to her sacred person. The duke of Buckingham, in particular, in order to shew the necessity

cessity of inviting over the successor, observed that the queen might live till she was twice a child, and be as feeble in her mind, as she was in her body. Such was the language of these men, who piqued themselves on their reverence for majesty, which, nevertheless, they were not ashamed to violate, when it suited their selfish purposes.

The design of the Tories in making the motion was to ruin the Whigs either with the queen or with the people. Had they approved of the motion, they would have given offence to their sovereign; and, by opposing it, they ran the risk of incurring the public odium, as enemies to the Protestant succession: but the pretence of the Tories was so thin, that the nation saw through it; and the only effect which the motion produced, was to expose that whole party to the resentment of the queen and the hatred of the people.

But though the Whigs had rejected the proposal of the Tories, they were yet determined to make some farther provision for securing the succession; and, in consequence of the hint dropped by bishop Burnet, a bill was now introduced for that purpose.

The subject was opened by the lord Wharton, who spoke with that genuine spirit of refined raillery, which was so peculiar to his character.

character. He said, that, though he was not present at the former debate, he was charmed with the accounts, which he had already heard of it: that he had always considered the security of the Protestant succession, as the only means of securing the happiness of the nation: that when he heard the queen, with so much earnestness, recommend, from the throne, an union and harmony among her subjects, he felt, in his own breast, a violent emotion: that it now appeared, there was a divinity about her, when she delivered her speech; the cause was certainly supernatural, for it had produced a supernatural effect; it had plainly wrought a miracle: now all men were zealous for the Protestant succession; an event, hitherto deemed so improbable, and even impossible, that it could only be derived from a heavenly origin: that he would not, he could not, he ought not to suspect the sincerity of those, who had moved for inviting the next successor; yet he could not help reflecting sometimes on what had passed in the course of the late reign, and how men had argued, voted; and protested during that period: that this, however, tended only to confirm his former opinion, that a miracle was actually wrought; that he sincerely rejoiced in the conversion of the Tories, and heartily

ly congratulated them on the new light they had received: that he was not surprized that the ardour of their zeal, in its first transports, should hurry them into some extravagancies, which, though they could not be indulged, ought yet to be excused, and even applauded, as they were plain indications of the goodness of their intentions: that, for his own part, he could not approve the proposal they had made to invite the princess Sophia to come over to England, and reside in the kingdom, during the life time of her majesty; nor, indeed, did he deem it necessary for the security of the Protestant succession: that nevertheless, not to disappoint their earnest wishes for the accomplishment of this great object, which they seemed to have so much at heart, he would take the liberty to suggest a scheme, which would effectually answer the intended purpose.

This was, that a regency should be appointed, to be composed of the seven persons, who should possess, for the time being, the offices of archbishop of Canterbury, lord-chancellor or lord-keeper, lord-treasurer, lord-president, lord privy-seal, lord-high admiral, and lord chief-justice of the queen's bench: that their business should be to proclaim the next successor through the kingdoms of England and Ireland, and

join with a certain number of persons named as regents by the successor, in three lists to be sealed up and deposited with the archbishop of Canterbury, the lord-keeper, and the minister residentiary of Hanover : that these joint regents should conduct the administration, till the successor should arrive or send further orders : and that the last parliament, even though dissolved, should re-assemble, and continue sitting for six months after the death of her majesty. This proposal was immediately digested in the form of a bill, and submitted to the consideration of the house.

It soon appeared, however, that the conversion of the Tories, which the lord Wharton had so fondly imagined, or rather so humourously described, was far from being sincere. Finding they were caught in their own snare, they endeavoured to extricate themselves in the best manner they could. They first objected against the bill in general, upon the pretence, that they could not recede from their original motion. To this it was answered, that, though it must be granted, that the immediate successor might continue in England, during the remaining part of her life ; it could not be supposed, that her son, the elector, could be always absent from his own dominions, or lay aside
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all concern about the affairs of the empire, in which he bore so considerable a share : that should he leave the kingdom for ever so short a time, the accident might happen, in which it would be necessary to provide such an expedient as was now offered : and that thus the bill was equally requisite, whether the successor should, or should not reside in England.

The Tories, driven from this subterfuge, were obliged to have recourse to other evasions. They proposed, that the lord-treasurer should be excluded from the regency ; not that they deemed the person, who might enjoy that high office, as thereby disqualified for such a trust ; but merely with a view to shew their resentment against the present treasurer, the lord Godolphin. The motion, however, was rejected with the utmost indignation ; nor, indeed, could any thing be more ridiculous, than, at a time, when the ministers might have great occasion for money, to deprive them of the assistance of an officer, who alone could supply them with that necessary article, or advise them in what manner they could best be supplied.

They next moved, that the lord-mayor of London should be one of the regents ; either with a design of making their court to the city, or solely from a desire of starting

frivolous objections : but neither was this admitted ; the intention of the act was, that the government should be conducted by those, who were, at that time, employed by the queen, and were acquainted with the secrets of the cabinet ; whereas the lord-mayor was annually chosen by the city, and was, in a great measure, ignorant of the affairs of state.

Baffled in all these attempts, they proposed a number of other limitations ; such as that the regents should be strictly prohibited from repealing the act for triennial parliaments, the act for trials in cases of high-treason, and the like ; and, in order to make the bill appear the more ridiculous, they added a new limitation, importing, that the regents should not have power to repeal the act of succession. These proposals were too absurd to deserve a serious answer : they were therefore rejected with the utmost scorn and indignation ; and the bill was passed by a considerable majority.

But though the Tories had been foiled in the upper house, they were able, in the lower, to make a more powerful opposition. They were even joined by some of the Whigs themselves, who were told, that the princess Sophia had expressed an inclination to reside in England. Exceptions were taken to that clause

clause in the bill, enacting, that the last parliament should be re-assembled. This, it was alledged, was a plain contradiction to part of the act, by which the succession was originally settled; for, among other limitations, the parliament had provided, that, when the crown should devolve to the house of Hanover, no one who had either place or pension should be capable of sitting in the house of commons.

After some debates they agreed, that every member, who should enjoy certain places, to be particularly specified, should be totally disqualified for sitting in the house upon any condition: and that such, as should accept of any other office, should, upon such acceptance, be likewise excluded, and a new writ issued for another election; though it was still left in option of the electors to chuse, either him, or any one they thought proper. This self denying clause, and some other amendments, produced conferences between the two houses, and, at length, the bill passed by their mutual consent.

The Tories, exasperated by this disappointment, resolved to vent their spleen in another channel. They knew that the success of the allies was, in a great measure, owing to the duke of Marlborough, who, besides, had incurred the hatred of the

party, by deserting them, and uniting with the Whigs ; and they therefore hoped, that, if they could effect the ruin of that nobleman, and, at the same time, provoke the indignation of the Dutch, they should be able to shake the confederacy, and, perhaps, in the end, to put a period to the war.

With this view they moved, that an inquiry should be made into the miscarriages of the last campaign ; and, the better to enable them to judge on the subject, that an address should immediately be presented to her majesty, desiring her to acquaint them with whatever she knew concerning these transactions. They hoped, in the course of the scrutiny, to discover some particulars, that would be sufficient to fix a stain upon the character of the duke ; and they knew, that the bare pretence of subjecting sovereign and independent powers to the censure and controul of an English parliament, would alarm the pride of these potentates, and, perhaps, provoke them to abandon the alliance.

But the design of the Tories was too obvious not to be discovered by the most common observer : the motion was therefore rejected with infinite contempt, and, instead of an enquiry into the miscarriages of the war, the two houses presented a joint address

dress to the queen, importing, that, being justly alarmed by the many artifices, which the emissaries of France had lately employed, in order to raise jealousies, and create misunderstandings between the allies; and being apprehensive, lest such malicious attempts, if they should pass unnoticed, might in time so far succeed, as to abate the spirit, and slacken the zeal of the allies; they most earnestly besought her majesty to use all possible endeavours to preserve a good correspondence among all the allies, and, in a particular manner, to maintain and cultivate a strict friendship with the States-General; as also, to take all proper means, to excite the whole confederacy to make early and effectual preparations for opening the next campaign, and to exert their utmost vigour in the prosecution of the war against France.

The Scottish parliament had lately sent up an address to her majesty, protesting against any further progress in the treaty of union, till the act, by which they were declared aliens, should be finally repealed. In order to remove this obstruction, the two houses now concurred in repealing that act, as well as in taking off the several prohibitions and restrictions, which had been laid upon the trade between the two nations.

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An account arriving about this time of the success of the allies in Catalonia, the queen communicated the good news in a speech to the parliament, expressing her hope, that they would enable her to improve the advantage, which her arms had acquired. The commons were so well pleased with the tidings, that they immediately granted two hundred and fifty thousand pounds for her majesty's proportion of the expence in prosecuting the successes already gained by Charles the third, for the recovering the monarchy of Spain to the house of Austria. On the fifteenth day of November, the queen gave the royal assent to an act for exhibiting a bill to naturalize the princess Sophia, electress and dutchess dowager of Hanover, and the issue of her body.

The Tories had always, when excluded from power, raised a violent clamour, that the church was exposed to the most imminent danger; but never had they insisted upon that topic with more earnestness, than during their present disgrace. It was therefore resolved, that an enquiry should be made into the real foundation of this clamour, and the sixth of December was appointed for the purpose. On that day the queen repaired to the house of peers, in order to hear the reasonings on this important subject.

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The debate was opened by the earl of Rochester, who said, that he considered the queen's speech in the beginning of the session, in the same light with the law passed in the reign of Charles the second, denouncing the penalties of high-treason against those, who should call the king a Papist; for which reason he had always thought him of that persuasion; and that, in his opinion, the church was in danger from the act of security in Scotland, the absence of the successor to the crown, and the practice of occasional conformity.

He was answered by lord Hallifax, who observed, that the act of security in Scotland was of a political nature, and had no concern with ecclesiastical affairs: that it was passed only with a view to prevent an immediate war, which, in all probability, could not have been otherwise avoided; but that, if, notwithstanding this precaution, a war should still happen between the two nations, he apprehended, neither the church nor state of England would be exposed to any great danger, as the experience of former times had sufficiently demonstrated, that the English were always more than a match for the Scots: that, in any event, the act of security in Scotland could not be supposed to threaten any peculiar

liar danger to the church of England : that as to the danger arising from the absence of the successor, it was a danger, at most, but of eight days standing ; for, he believed, he might affirm, that, about a fortnight ago, no body considered it as productive of that consequence ; but that, let the danger be as great as it would, he hoped the provision, which had lately been made, would be found sufficient effectually to prevent it, and at the same time to silence the clamours that might be raised by selfish and designing persons : that, with regard to the danger of occasional conformity, the question had already been discussed, and the house had given it as their opinion, that a bill to prevent it, instead of being advantageous, would, in reality, prove detrimental to the church : that Charles the second was a Roman Catholic, at least his brother had declared him such immediately after his death : that his brother and successor was a known Papist, yet the church thought herself secure ; and those patriots who stood up in her defence, were discountenanced and punished : that when that successor ascended the throne, and the church was apparently in the most imminent danger by the high-commission court, and otherwise, the nation was then indeed gene-

generally alarmed ; but every body knew who were the persons that sat in that court, and entered deeply into the measures which were then adopted. This last reflection was levelled at Rochester, who was one of the ecclesiastical commissioners in the reign of James the second.

Compton, bishop of London, alledged, that the church was in danger from profaneness, irreligion, and the licentiousness of the times ; and from the pernicious tendency of several sermons, which had been lately preached, and in which rebellion was countenanced, and resistance to the higher powers encouraged. He alluded, particularly, to a sermon preached before the lord-mayor by Mr. Hoadley, late bishop of Winchester.

To this, Burnet, of Salisbury, replied, that the bishop of London was the last man, who ought to complain of that sermon ; for, if the doctrine contained in it was not good, he did not know what defence his lordship could make for appearing in arms at Nottingham : that, in his opinion, the church would be always subject to profaneness and irreligion ; but, he was certain, they were not now so flagrant as they had usually been : that the society set up for reformation, in London, and other cities, had contributed considerably to the suppression of vice : that
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the society for propagating the gospel had done a great deal towards instructing men in religion, by giving great numbers of books in practical divinity; by erecting libraries in country-parishes; by sending over many able divines to the foreign plantations, and founding schools to breed up children in the Christian knowledge: and that he could affirm, from his own experience, that, in the course of the preceeding year, the sum of no less than twelve hundred pounds had been expended in books for these purposes, all of it collected by voluntary contribution; though, he believed, very little had been given by those, who appeared so wonderfully zealous for the church.

The archbishop of York declared, that he apprehended danger from the increase of Dissenters; particularly from the many academies they had erected: and he therefore proposed, that the judges should be consulted with respect to the laws, that were in force against such seminaries, and by what means they might be suppressed.

Lord Wharton subjoined as an addition to that proposal, that the judges should likewise be consulted about the means of suppressing schools and seminaries held by non-jurors; in one of which the sons of a noble lord in that house had been educated.

Where

The archbishop replied, that he supposed he was the person whom his lordship meant, and he therefore begged leave to explain that matter. He owned, that his sons were taught by Mr. Ellis, a sober, virtuous man, who had qualified himself according to law, when they were sent to the academy, but he affirmed, that, when he refused the oath of abjuration, they were immediately withdrawn from his instructions.

Lord Wharton resumed his discourse, and added, that he would go as far as any man in defending the church, if he really believed it to be in danger; but he saw not, for his own part, how it could be said to be in any such condition: that he had perused, indeed, a pamphlet, intitled, "The memorial," which professed to demonstrate this dreadful and alarming truth; but the only thing he could learn from it was, that the D—— of B——,* the E—— of R——, † and E—— of N——, ‡ were out of place. What these B's, R's, and N's meant, he could not tell; perhaps they contained some charm for the security of the church: but if they meant some noble persons, who were present in the house, he begged leave to observe, that he

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* The duke of Buckingham.

† The earl of

Rochester. ‡ The earl of Nottingham.

remembered some of them sat in the high-commission court, and then made no complaints of the church's danger: but now that the nation had a queen, who was herself a sincere lover of the church, and endeavoured to encourage the same principles in all her subjects, they must be amused, forsooth, (for, surely they could not be alarmed) with a general clamour of the church's being in danger; a clamour raised, he would not pretend to say from what motives; those could best tell, who had been at so much pains to excite it.

Patrick, bishop of Ely, complained of the heat and passion discovered by the gentlemen belonging to the universities, and of the undutiful behaviour of the inferior clergy towards their bishops. He was seconded by Hough of Litchfield and Coventry, who said, that the inferior clergy calumniated their bishops, as if they were in a plot to destroy the church, and had compounded to be the last of their order. Hooper of Bath and Wells enlarged on the invidious distinctions implied in the terms of high-church and low-church. The duke of Leeds observed, that he thought the church was in danger, and that it never could be safe without an act against occasional conformity; adding, that the queen had, in a discourse

course with him, declared herself of the same opinion.

Lord Somers recapitulated all the arguments, which had been advanced on both sides of the question, and delivered his own opinion, importing, that the nation was happy under a wise and just administration; and that for men to raise groundless jealousies at that juncture, could mean no less than an intention to embroil the people at home, and defeat the glorious designs of the allies abroad.

The debate being finished, the question was put, whether the church of England was in danger? and was carried in the negative, by sixty one against thirty: then the house resolved, that the church of England, as by law established, which was rescued from the extremest danger by king William the third of glorious memory, is now, by God's blessing, under the happy reign of her majesty, in a most safe and flourishing condition; and that whoever goes about to suggest or insinuate, that the church is in danger under her majesty's administration, is an enemy to the queen, the church, and the kingdom.

Next day the commons approved of this determination, and agreed with the lords in an address to the queen, communicating this

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their joint resolution, and beseeching her to take effectual measures for making it public, and for punishing the authors and spreaders of the seditious and scandalous reports of the church's being in danger. The queen replied, that she would readily comply with their request, and was very well pleased to find them so forward in assisting her to put a stop to those groundless and malicious reports.

Accordingly on the twentieth of December, she issued a proclamation notifying the resolution of the two houses, and offering a reward for discovering the author of the memorial of the church of England, and for apprehending David Edwards, a professed Papist, charged upon oath as the printer, and publisher of that libel.

Next day the queen came to the house of peers, and, among other bills, gave the royal assent to an act for naturalizing the princess Sophia, electress and dutchess dowager of Hanover, and the issue of her body. She then made a speech to both houses applauding the unanimity of their proceedings, and the good disposition they had shewn towards an union with Scotland. After this, the commons adjourned themselves to the seventh day of January.

At

At their next meeting,* a committee of the house presented the thanks of the commons to the duke of Marlborough, for his great services performed to her majesty and the nation, and for his prudent negotiations with her allies. To this compliment the duke replied, that he entertained the most grateful sense of the distinguished honour done him by this message, and that, while he had the satisfaction to find his faithful endeavours to serve the queen and the kingdom, so favourably accepted by the house of commons, he should the less regard the reflections of private malice or envy.

Such was the credit which this nobleman possessed with the nation, that, when he proposed a loan of five hundred thousand pounds to the emperor, upon a branch of his revenue in Silesia, the money was immediately advanced by the merchants of London. The kingdom was blessed with plenty: the people were satisfied with the government, and eager for the prosecution of the war: the forces were well paid: the treasury was punctual: and, though great quantities of coin were exported for the maintenance of the war, the paper-currency supplied the deficiency so well, that no murmurs were heard,

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and

And the public credit flourished more than in any former period. The Jacobites, indeed, attempted to ruin the credit of the paper-money; but all their endeavours proved ineffectual, and rebounded only to their own shame and confusion.

All the funds being established, one, in particular for two millions and a half, by way of annuities, for ninety-nine years, at six and a half per cent; and all the bills having received the royal assent, the queen went to the house of peers on the nineteenth day of March, where having made a speech to both houses, expressing her acknowledgements for the unanimity and dispatch, with which they had conducted the public business, and the zeal and affection they had shewn for her service, she prorogued the parliament to the twenty-first day of May following.

The new convocation met at the same time with the parliament. The bishops behaved with that decency and decorum, which so well became their character: but the inferior clergy revived the divisions, which, had prevailed in the former convocation, and seemed even to be transported with a more furious spirit of rancour and animosity, than had ever been observed on any other occasion. The upper-house having
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drawn up a warm address of thanks to the queen for her affectionate care of the church, the lower house refused to concur; nor would they give any reason for their dissent.

They prepared another in a very different strain, which was rejected by the archbishop. Piqued at this disappointment, they agreed to several violent resolutions, asserting, among other things, that it was their undoubted right to have what they offered, received by his grace and their lordships. In consequence of this dissension, the address was dropped, and a stop put to all farther communication between the two houses.

Nevertheless the inferior clergy were not unanimous in these violent proceedings. The dean of Peterborough entered a protest against the irregularities of the lower house; particularly, against the prolocutor's arroguing the house by their own authority; against their pretending to a power to put the prolocutor into the chair, before he was confirmed by the archbishop; against their assuming a power to permit their members to absent from the house, and to substitute proxies; against their electing an actuary in prejudice of the right of the archbishop; and against their late disrespectful and undutiful carriage to the archbishop and prelat e

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in rejecting their address to her majesty, without deigning to assign any reason. This was signed by about fifty members; and the whole house consisted but of one hundred and forty-five members. Several had declared themselves neuters; so that almost one half of the house broke off from the rest, and refused any longer to concur in their measures.

The queen, being informed of the factious conduct of the inferior clergy, resolved to interpose her authority. She wrote a letter to the archbishop, informing him, that she was sorry to hear, that the differences in the convocation were still kept alive, and even rather encreased than abated: that this gave her the greater surprize, as it had always been her constant care to preserve the constitution of the church of England, as by law established, and discountenance all divisions and innovations whatsoever: that she was determined to maintain her supremacy, and the due subordination of presbyters to bishops, as essential parts of the constitution of the church: that she expected that he and his suffragans would act conformably to her resolution; in which case they might be assured of her favour and protection: that neither of them should be wanting to any of the clergy, while they were true to the constitution, dutiful
to

to her and their ecclesiastical superiors, and persevered in such a temper as became all, especially those, who were in holy orders: and she required him to impart this declaration to the bishops and clergy, and prorogue the convocation to such time as should appear most convenient.

When the archbishop communicated this letter to the lower house, the members were struck with the utmost amazement. They imagined, that the queen was their firm friend, and that she would continue to shew them the same favour and protection, which she had afforded to their brethren in the last convocation. But they were mistaken in their conjecture. The queen was now directed by other and wiser counsellors, than she had formerly enjoyed, and, instead of encouraging, she was inclined to extinguish all feuds and animosities among her subjects. The inferior clergy, however, had not imbibed the same charitable disposition. They were determined still to keep those differences alive, and, rather than lay aside their absurd prejudices, were resolved to violate their duty to their sovereign. They therefore refused to comply with the prorogation, and continued to sit in defiance of her majesty's pleasure.

Such

Such was the loyalty of these men, who affected to entertain such a sacred regard for the character of princes, and such a high opinion of their supreme authority. Such too was the consistency of those, who had formerly, of their own accord, without compulsion, and though required by no law, offered to submit their disputes to her majesty, when they thought she was disposed to favour their cause; and who, now that they found she was of another mind, refused to comply with her royal injunction, which they were bound to obey, and which they could not violate, without infringing the laws of the land.

But the attention of the public was now converted to an object of infinitely greater consequence, namely, a treaty for establishing an union between the two kingdoms of England and Scotland. This conjunction had ever been considered as so essential to the interest of Great-Britain, that many attempts had been made to effect it; which had always indeed, in the end, proved abortive, but, of which, however, it may not be improper, by way of introduction, to take a general review.

Henry the eighth, desirous of bringing the whole island under the dominion of one sovereign, offered his daughter, Mary,

to James the fifth of Scotland, and, in order to prevent the difficulties that might arise, about the succession, after his death, promised, immediately upon the conclusion of the marriage, to invest king James with the title of duke of York, and to declare him lord-lieutenant, or deputy governor of England.

James, of himself, was sufficiently disposed to accept of an offer, which was so advantageous ; but the French faction, and the Popish clergy, who equally dreaded the effects of such a conjunction, found means to persuade him to reject the proposal. This refusal engaged the Scots, though against their inclination, in a war with the English, and occasioned the battle of Solway-moss, near Carlisle ; where James, being basely deserted by his nobility, was totally defeated : an event, which affected him in so sensible a manner, that he soon after died of grief and vexation.

Edward the sixth, pursuing the same plan, proposed a marriage between himself, and queen Mary of Scotland ; a match, which, during the reign of Henry the eighth, had been actually settled in the Scottish parliament : but the same parties, which had defeated the former project, were now able to disappoint the present ; an incident, that excited

cited a new war between the two nations, which ended in the defeat of the Scots at Pinky, near Musselburgh.

The English, however, made no ungenerous use of their victory. Notwithstanding the advantage they had gained, they solemnly disclaimed all thoughts of intending a conquest of Scotland, or of overturning the constitution of that kingdom. On the contrary, the duke of Somerset, the king's uncle, as protector of England, published a declaration, inviting the Scots to agree to a friendly and amicable union.

“ We overcome in war,” said that declaration, “ and yet we offer peace : we
 “ win strong holds, and threaten no sub-
 “ jection : we seize your land, and we of-
 “ fer you your own. What more can we
 “ offer than an intercourse of merchan-
 “ dizes, an interchange of marriages, and
 “ the abrogation of all laws, that prohibit
 “ commerce, or might be an impediment
 “ to our mutual amity ? We are willing not
 “ only to renounce the authority, name,
 “ title, right, or claim of conqueror ; but
 “ to submit to that, which is a disgrace even
 “ to the vanquished themselves : we are
 “ content to abolish the name of our nation,
 “ and to assume the common appellation of
 “ Britons ; and this we do, that nothing
 “ may

“ may be left unoffered by us, nothing un-
 “ refused by you, which may render your
 “ obstinacy inexcusable. Has this the least
 “ appearance of conquest? We seek not to
 “ disinherit your queen, but to make her
 “ heirs inheritors likewise of the kingdom
 “ of England. We mean not to deprive
 “ you of your laws and customs; we only
 “ desire to forget all ancient feuds and ani-
 “ mosities, and to live with you for the fu-
 “ ture, like kinsmen and brethren.”

This was certainly a most generous pro-
 posal, especially from a conqueror; and it
 is surely surprizing, that it could be reject-
 ed, as it actually was. It must be acknow-
 ledged, however, that, notwithstanding its
 inviting appearance it was much less advanta-
 geous than the offer made by Henry. By the
 former, the royal family of Scotland would
 probably have sat on the throne of England :
 by the latter, that family would have been
 entirely extinguished, and would have been
 swallowed up in the family of Tudor.

James the first, soon after his accession to
 the English throne, recommended it to the
 parliament of England, to endeavour, if
 possible, to effect an union between the two
 kingdoms; “ that, as they were made one
 “ in head, so among themselves they might
 “ be inseparably united, and all memory of

"former animosities buried in oblivion." The motion seemed at first to be so well relished by the natives of both kingdoms, that the parliaments of each appointed their respective commissioners; the English forty-four, the Scots thirty.

These met accordingly at Westminster, and agreed to certain articles, importing, among other things, that all hostile laws between the two nations should be abolished: that a free communication of trade and commerce should be permitted; and that a power should be reserved to his majesty to prefer men to offices and honours in either kingdom. The king renewed his instances to the English parliament, and pressed them to prosecute and finally accomplish the great work of effecting an union: but, of all the articles agreed on by the commissioners, none were enacted, but that for abolishing the hostile laws.

Charles the first was, during the whole course of his reign, too much embroiled with the subjects of both kingdoms, to entertain any hopes of uniting them with each other. The long parliament of England resumed the scheme of effecting an union with Scotland; but, before they could bring it to any maturity, they were turned out of doors by Oliver Cromwell. Cromwell

well himself made some regulations relating to Scotland ; but nothing that had the least appearance of an union.

Charles the second made a new attempt towards accomplishing that important project, but no better success attended his endeavours, than what had accompanied those of his predecessors. James the second was so much engaged with his favourite design of restoring Popery, that he had no time to spare upon any other business. William recommended an union of the island to the consideration of the two houses of parliament ; and the lords passed a bill authorising his majesty to name commissioners for treating on the subject : but the commons refusing to give their concurrence, the bill was lost, and the scheme miscarried.

Thus was this great and important work of effecting an union between the two kingdoms reserved for the reign of her present majesty ; and the queen having lately, in consequence of the power, which had been granted her by parliament, appointed the commissioners * on both sides, they met at

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* The English commissioners were, Thomas, lord archbishop of Canterbury ; William Cowper, lord-keeper of the great-seal ; John, lord archbishop of York ;

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the council chamber of the Cockpit near Whitehall, on the sixteenth day of April.

Their

York ; Sidney, lord Godolphin, lord-high-treasurer of England ; Thomas, earl of Pembroke, and Montgomery, president of the council ; John, duke of Newcastle, keeper of the privy-seal ; William, duke of Devonshire, steward of the household ; Charles, duke of Somerset, master of the horse ; Charles, duke of Bolton ; Charles, earl of Sunderland ; Evelyn, earl of Kingston ; Charles, earl of Carlisle ; Edward, earl of Orford ; Charles, viscount Townsend ; Thomas, lord Wharton ; Ralph, lord Grey ; John, lord Powlet ; John, lord Somers ; Charles, lord Hallifax ; William Cavendish, marquis of Hartington ; John Manners, marquis of Granby ; Sir Charles Hedges, and Robert Harley, principal secretaries of state ; John Smith ; Henry Boyle, chancellor of the Exchequer ; Sir John Holt, chief justice of the Queen's-bench ; Sir Thomas Trevor, chief-justice of the Common-pleas ; Sir Edward Northey, attorney-general ; Sir Simon Harcourt, solicitor-general ; Sir John Cook, advocate-general, and Stephen Waller, doctor of laws.

The Scotch commissioners were, James, earl of Seafield, lord-chancellor of Scotland ; James, duke of Queensberry, lord-privy-seal ; John, earl of Mar, and Hugh, earl of Loudon, principal secretaries of state ; John, earl of Sutherland ; John, earl of Morton ; David, earl of Wemys ; David, earl of Leven ; John, earl of Stair ; Archibald, earl of Roseberry ; David, earl of Glasgow ; lord Archibald Campbell ; Thomas, viscount Duplin ; lord William Ross ; Sir Hugh Dalrymple, president of the session ; Adam Cockburn, of Ormiston, lord justice-clerk ; Sir Robert Dundas,
of

Their commissions being opened and read by the respective secretaries, and introductory speeches delivered by the lord-keeper of England and the lord-chancellor of Scotland, they agreed to certain preliminary articles, importing, that all the proposals should be made in writing, and every point, when agreed, reduced into writing : that no points should be obligatory, till all matters should be adjusted in such a manner as would be proper to be laid before the queen and the two parliaments for their approbation : that a committee should be appointed, from each commission, to revise the minutes which might pass, before they should be inserted in the books by the respective secretaries : and that all the proceedings during the treaty should be kept secret.

The Scots were inclined to a federal union, like that of the United-Provinces, or

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of Arnistoun, and Robert Stewart, of Tillicultrie, lords of session ; Mr. Francis Montgomery, one of the commissioners of the treasury ; Sir David Dalrymple, one of her majesty's solicitors ; Sir Alexander Ogilvie, receiver-general ; Sir Patrick Johnston, provost of Edinburgh ; Sir James Smollet, of Bonhill : George Lockart, of Carnwath ; William Morrison, of Prestongrange ; Alexander Grant ; William Seton, of Pitmidden ; John Clark, of Pennycook ; Hugh Montgomery, Daniel Stuart, and Daniel Campbell,

the Cantons of Switzerland : but the English were bent upon an incorporating union, so that no Scottish parliament should ever have power to repeal the articles of this treaty. The lord-keeper proposed, that the two kingdoms of England and Scotland should be for ever united into one nation, by the name of Great-Britain : that it should be represented by one and the same parliament : and that the succession to this monarchy, in failure of heirs of her majesty's body, should be subject to the limitations mentioned in the act of the English parliament, passed in the reign of king William, intituled, An act for the further limitation of the crown, and the better securing the liberties of the subject.

After a short adjournment the commissioners re-assembled, and the lord-chancellor of Scotland proposed, that the succession to the crown of Scotland should be settled upon the same persons mentioned in the act of king William's reign : that the subjects of Scotland should for ever enjoy all the rights and privileges of natives in England, and the dominions thereunto belonging ; and that the subjects of England should enjoy the same rights and privileges in Scotland : that there should be a free communication and intercourse of trade and navigation between

tween the two kingdoms, and plantations thereunto belonging, under such regulations, as, in the progress of this treaty, should be found for the advantage of both kingdoms : and that all laws and statutes in either kingdom, contrary to the terms of this union, should be repealed.

It should seem, however, that the Scottish commissioners made these proposals without any hope of their being admitted, and merely with a view to satisfy the populace of their own nation, who were generally averse to an incorporating union, particularly to that article, by which they were to lose their parliaments : for when the English commissioners refused to agree to them, and declared their conviction, that nothing but an entire union would settle a firm and lasting friendship between the two kingdoms, the other acquiesced in this answer, and both sides proceeded in the treaty with the most perfect unanimity and concord.

They were twice visited by the queen, who exhorted them to forward the articles of a treaty, that would prove so advantageous to both kingdoms. At length they were finished, signed, and sealed on the twenty-second of July, and next day presented to the queen at the palace of St. James's, by the lord-keeper in the name of the English
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commissioners, and by the lord chancellor of Scotland in the name of the commissioners for that kingdom; both of whom made a short oration on the subject, to which her majesty returned a most gracious answer. That same day she issued an order in council, that whoever should be concerned in any seditious discourse or libel, or in laying wagers relating to the union, should be prosecuted for such offences, according to the utmost vigour of law.

This celebrated treaty imported, that the succession to the united kingdom of Great-Britain should, upon the death of her majesty, and failing heirs of her body, be vested in the princess Sophia, and her heirs, according to the acts already passed in the parliament of England: that the united kingdom should be represented by one and the same parliament: that all the subjects of Great-Britain should enjoy a communication of rights, privileges, and advantages: that they should have the same allowances, encouragements, and drawbacks; and be under the same prohibitions, restrictions, and regulations, with respect to commerce and customs: that Scotland should not be charged with the temporary duties on some commodities: that the sum of three hundred, ninety-eight thousand, and eighty-five

five pounds ten shillings should be granted to the Scots, as an equivalent for such part of the customs and excise charged upon that kingdom in consequence of the union, as should be applicable to the payment of the debts of England, according to the proportion which the customs and excise of Scotland bore to those of England: that, as the revenue of Scotland might encrease, a further equivalent should be allowed for such proportion of the said encrease as should be applicable to the payment of the debts of England: that the sum to be paid at present, as well as the monies arising from the future equivalents, should be employed in reducing the coin of Scotland to the standard and value of the English coin; in paying off the capital stock and interest due to the proprietors of the African company, which should be immediately dissolved; in discharging all the public debts of the kingdom of Scotland; and in promoting and encouraging manufactures and fisheries, under the direction of commissioners to be appointed by her majesty, and accountable to the parliament of Great-Britain: that the laws concerning public right, policy, and civil government, should be the same throughout the whole united kingdom; but that no alteration should be made in laws

laws which concerned private right, except for evident utility of the subjects within Scotland : that the court of session, and all other courts of judicature in Scotland, should remain as then constituted by the laws of that kingdom, with the same authority and privileges as before the union ; subject, however, to such regulations as should be made by the parliament of Great-Britain : that all heritable offices, superiorities, heritable jurisdictions, offices for life, and jurisdictions for life, should be reserved to the owners, as rights of property, in the same manner as then enjoyed by the laws of Scotland : that the rights and privileges of the royal boroughs in Scotland, should remain entire after the union : that Scotland should be represented in the parliament of Great-Britain, by sixteen peers and forty-five commoners, to be elected in such a manner as should be settled by the present parliament of Scotland : that all the peers of Scotland, and the successors to their honours and dignities, should, from and after the union, be peers of Great Britain, and should have rank and precedence next and immediately after the English peers of the like orders and degrees, at the time of the union ; and before all the peers of Great-Britain of the like orders and degrees, who
might

might be created after the union: that they should be tried as peers of Great-Britain, and enjoy all the privilege of peers, as fully as enjoyed by the peers of England, except the right and privilege of sitting in the house of lords, and the privileges depending thereon, and particularly the right of sitting on the trials of peers: that the crown, sceptre, and sword of state, the records of parliament, and all other records, rolls, and registers whatsoever, should remain as they were, within that part of the united kingdom called Scotland: and that all laws and statutes in either kingdom, so far as they might be inconsistent with the terms of these articles, should cease, and be declared void by the respective parliaments of the two kingdoms. Such was the substance of that famous treaty, which was soon after concluded, and which happily united the different parts of this island under the same monarchy.

During these transactions in Great-Britain, the allies on the continent were remarkably successful. The French king had determined to exert his utmost efforts in the course of this campaign; and, indeed, at the beginning of it his armies were very formidable. He hoped, that, by the reduction of Turin and Barcelona, he should
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put an end to the war in Italy and Catalonia. He knew, that his forces on the Rhine were superior to any body of troops, which the prince of Baden could assemble; and he resolved to reinforce his army in Flanders, so as to be in a condition to act offensively against the duke of Marlborough.

That nobleman repaired to Holland in the latter end of April; and had several conferences with the States-general. On the twenty-first day of May he assembled the army between Borchloen and Groes-Waren; and found it amounted to seventy-four battalions of foot, and one hundred and twenty-three squadrons of horse and dragoons, provided with an hundred pieces of cannon, twenty howitzers, and forty-two pontoons.

The court of France, understanding that the confederates were not yet joined by the Danish and Prussian troops, sent orders to the elector of Bavaria and the mareschal Villeroy to attack them before they could be strengthened by these reinforcements. In consequence of this order, they passed the Deule on the nineteenth day of May, and encamped at Tirlemont behind the Gheet, being considerably superior to the allies in number. There they were joined by the horse of the army, commanded by Mareschal de Marfin

Marfin, and took post between Tirlemont and Judoigne.

Elated with this accession of strength, they had already, in imagination, obtained a victory, and were only afraid, lest the duke of Marlborough should decline an engagement. Their fears, however, were entirely groundless. The duke, on his part, was no less eager for a battle; he was even apprehensive, that the enemy would oblige him to attack them in their intrenchments, as they had always done in the former campaigns: and his apprehensions in the end, appeared to be better founded.

On Whitsunday, in the morning, he advanced with his army in eight columns towards the village of Ramillies, being by this time joined by the Danes: and here he was surprized with the agreeable news, that the enemy were in march to give him battle. No sooner, however, did they perceive the approach of the confederate army, than their ardour began to cool; and, conscious of what they had suffered on former occasions, resolved to avail themselves of every advantage, which the nature of the ground afforded.

They accordingly took possession of a strong camp, their right extending to the tomb of Hautemont on the side of the Meuse.

haigne; their left to Anderkirk; while a good number of battalions were posted in Ossuz and Ramillies, which last was near their centre. If this precaution secured the enemy, it added fresh spirits to the confederate forces; as it was generally considered as an indication of fear. If it rendered the attack more difficult and dangerous, it made, at the same time, the assailants more resolute.

The allied army was drawn up in order of battle, with the right wing near Foltz on the brook of Yause, and the left by the village of Franquénies, which the enemy had occupied. The duke ordered lieutenant-general Schultze, with twelve battalions, twenty pieces of cannon, and some howitzers, to begin the action, by assaulting the village of Ramillies, which was strongly fortified with artillery. At the same time, veldt-mareschal Overkirk, on the left, commanded colonel Wermüller, with four battalions, and two pieces of cannon, to dislodge the enemy's infantry, posted among the hedges of Franquénies. Both these attempts were courageously made, and successfully executed.

The Dutch and Danish horse of the left wing charged with great valour and intrepidity; but were so warmly received by the troops

troops of the French king's household, that they began to fall into confusion, when the duke of Marlborough ordered them to be supported with the body of reserve, and twenty squadrons drawn from the right wing, where a morass prevented them from engaging the enemy. In the mean time, he in person, rallied some of the broken squadrons, in order to renew the charge, and here he was exposed to the most imminent danger. Having the misfortune, while he was leaping a ditch, to fall from his horse, he was instantly surrounded by the enemy, and must either have been killed or taken prisoner, had not a body of infantry come seasonably to his assistance. While he remounted his horse, the head of colonel Brienfield, his gentleman of the horse, was carried off by a cannon-ball, as he held the duke's stirrup. The reinforcement, which the duke had ordered, had little occasion to display their bravery. Before their arrival, the Dutch and Danes had returned to the charge, and the best part of the French musquetaires were cut in pieces.

All the forces posted in Ramillies, were either killed or taken. The rest of the enemy's infantry began to retreat in tolerable order, under cover of the cavalry on their left wing, which formed themselves in three

lines between Offuz and Anderkirk; but the English horse, having found means to cross a rivulet, which divided them from the enemy, attacked them with such impetuosity, that they abandoned their foot, which were terribly slaughtered in the valley of Anderkirk. They now gave way on all sides. The horse fled three different ways; but were so closely pursued, that most of them were killed or taken prisoners.

The elector of Bavaria and the mareschal de Villeroy escaped with the utmost difficulty. Several waggons of the enemy's vanguard falling down in a narrow pass, obstructed the way in such a manner, that the baggage and artillery could not proceed; nor could their troops defile in good order. The victorious horse perceiving this accident, pursued them so hotly, that great numbers threw down their arms, and surrendered themselves prisoners. The pursuit was continued through Judoigne, till two in the morning, five leagues from the field of battle, and within two of Louvain.

In a word, never was obtained a more complete victory. The confederates took all the enemy's baggage and artillery, about one hundred and twenty colours and standards, several pairs of kettle drums, six hundred

dred officers, six thousand private soldiers; and about eight thousand were left dead upon the spot. Prince Maximilian, and the prince of Monbason were killed: the major-generals Palavicini and Mezieres were taken, together with the marquisses de Bar, de Nonant, and de la Baume; son of the marechal de Tallard, monsieur de Montmorency, nephew to the duke of Luxemburg; and many other persons of distinction. The loss of the confederates did not exceed three thousand men, including prince Lewis of Hesse, and Mr. Bentinck, who were slain in the action.

After this discomfiture of the French army, the allies met with no further interruption in their conquests. They made themselves masters of Louvaine, Mechlin, Brussels, Antwerp, Ghent, and Bruges. Ostend, though secured by a strong garrison, was surrendered after a siege of ten days. Menin, reckoned the most finished fortification in Europe, and defended by a garrison of six thousand men, met with the same fate. The garrison of Dendermonde surrendered themselves prisoners of war; and Aeth submitted on the same terms.

The French troops were ruined and dispirited. Paris was overwhelmed with the utmost consternation. Lewis affected to bear his misfortunes with calmness and compo-

sure; but the constraint had such an effect upon his constitution, that his physicians thought it necessary to prescribe frequent bleeding, in order to prevent more fatal consequences. At his court no mention was made of military transactions: all was solemn, silent and reserved; and so much care was taken to conceal the national disgrace, that the dutchess dowager of Orleans was obliged to write to her aunt, the electress of Hanover, in order to learn the public news.

Had the campaign in Catalonia been as favourable in the issue as it was prosperous in the beginning, the French king might, in some measure, have consoled himself for his misfortunes in the Netherlands. On the sixth day of April king Philip, at the head of a numerous army, undertook the siege of Barcelona, where king Charles resided, whilst the count de Thoulonse blockaded it up with a strong squadron. The inhabitants, encouraged by the presence of king Charles, defended the town with great bravery; and the garrison was reinforced with some troops from Gironne and other places. At length the fort of Montjuic being taken, the place was so hard pressed, that Charles ran the utmost risk of falling into the hands of the enemy; for the earl of Peterborough, who had come from Valencia with
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two thousand men, found it impossible to enter the city. Nevertheless, he kept his post upon the hills, with surprising courage and activity, and alarmed the besiegers with frequent skirmishes.

At last, Sir John Leake set sail from Lisbon with thirty ships of the line; and on the eighth day of May came in sight of Barcelona. The French admiral was no sooner informed of his approach, than he hastily weighed anchor, hauled out of the harbour, and returned to Toulon. In three days after his departure, king Philip raised the siege, and retired with precipitation, leaving behind him his baggage, with the sick and wounded.

On the side of Portugal the case was quite reversed. The allies were so much superior to the enemy in those quarters, that they met at first with no interruption in their conquests, and the earl of Galway, with an army of twenty thousand men, invested the town of Alcantara; and in three days the garrison, consisting of four thousand men, surrendered themselves prisoners of war. He next advanced to Placentia, and penetrated as far as the bridge of Almaraz: but the Portuguese, anxious for their own safety, refused to proceed any farther,

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Informed, at last, that the siege was raised, they consented to march to Madrid. Philip, suspecting their design, hastened to that city; but, conscious that he could not remain in it, and despairing, it should seem, of ever being able to return, retired to Burgos with all his valuable effects, after having destroyed every thing which he could not carry away.

The capital being thus abandoned, the earl of Galway entered it, about the latter end of June. He met, indeed, with no resistance, but he received as little welcome. An army of Portuguese, with an heretic at their head, was a very disagreeable sight to the Spaniards, who retained all the pride, though they wanted the courage, of their ancestors. They thought it beneath them to make their submission to any but king Charles himself; and it is generally supposed, that, had he come thither immediately, the entire reduction of Spain would have been soon accomplished. He continued, however, to loiter away his time in Barcelona, from the beginning of May till the end of July.

What could be his motive, it is hard to conjecture. Some pretend that he wanted money for making a decent entry into Madrid.

drid. Others pretend, that he was detained by the charm of a secret amour. But whatever was the cause of his delay, the consequences proved fatal to his affairs. King Philip, encouraged by the indolence of his rival, recovered his spirits; and having received a reinforcement from France, and collected his scattered forces, he returned to Madrid with an army equal to that commanded by the earl of Galway.

This general made a motion towards Arragon, in order to facilitate his junction with Charles, who had at length set out by the way of Saragossa, where he was acknowledged as sovereign of Arragon and Valencia. In the beginning of August he arrived in the Portuguese camp with a small body of troops; and in a few days was followed by the earl of Peterborough, at the head of five hundred dragoons.

The two armies were now pretty equal in point of number; but as each expected reinforcement, and the event of a battle must have been finally decisive, neither chose to hazard an engagement. The earl of Peterborough, who aspired to the chief command, which he could not enjoy, as both the earl of Galway and the count de Noyelles were much older officers, and who hated the prince of Lichtenstein, the principal

principal favourite and confident of Charles, retired in disgust, and embarking on board of an English ship of war, set sail for Genoa.

The English fleet continued all the summer in the Mediterranean, and cooped up the French navy in the harbour of Toulon. They secured Carthage, which had declared for king Charles: they took Alicant by assault, and the castle by capitulation: and then sailing out of the straits, one squadron was sent to the West-Indies, another ordered to lie at Lisbon, and the rest returned to England.

The allies were no less successful in Italy than in Flanders. The duke of Vendôme having been called to command in Flanders after the battle of Ramillies, the duke of Orleans was placed at the head of the army in Piedmont, under the direction of the marshal de Marfin. They were ordered to besiege Turin, which they accordingly invested on the thirtieth day of May; and the operations continued to the seventh of September.

Great preparations had been made for this siege. It was not undertaken until the duke of Savoy had rejected all the offers of the French king, which were sufficient to have shaken a prince of less courage and fortitude. He promised to bestow upon him the government

vernment of the Melanese for life, and to gratify him with several millions of livres to indemnify his losses. But the duke would listen to no proposals, and declared his resolution to adhere invariably to the grand alliance.

The duke de Feuillade, who conducted the siege, having finished the lines of circumvallation and contravallation, sent his quarter-master-general with a trumpet, to offer passports and a guard for the removal of the dutchess and her children. The duke of Savoy replied, that he did not intend to remove his family; and the mareschal might begin to execute his master's orders when he should think fit: but, when the siege began with uncommon fury, and the French fired red-hot balls which fell near the palace, the two dutchesses, with the young prince and princesses, quitted Turin, and withdrew to Quirasco, from whence they were conducted into the territories of Genoa.

The duke himself departed from his capital, in order to assume the command of his cavalry; and was pursued from place to place, by five and forty squadrons under the command of the count D'Aubeterre. Notwithstanding the gallant defence, which was made by the garrison of Turin, who
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destroyed fourteen thousand of the enemy in the course of the siege, the fortifications were almost ruined, their ammunition nearly exhausted, and they had no hopes of relief but from prince Eugène, who had infinite difficulties to surmount, before he could come to their assistance.

The duke of Vendome, before he left Italy, had secured all the fords of the Adige, the Mincio, and the Oglio, and drawn such lines and intrenchments, as, he supposed, would effectually prevent the Imperial general from arriving in time to the relief of Turin. But the prince broke through all these obstructions, passed four great rivers in despite of the enemy, and reached the neighbourhood of Turin on the thirteenth day of August.

Being there reinforced by the duke of Savoy, he passed the Po, between Moncalier and Carignan. On the 5th of September, they took a convoy of eight hundred loaded mules. Next day they crossed the Doria, and encamped with the right on the bank of that river before Pianessa, and the left on the Stura, before the Veneria. The enemy were entrenched up to the teeth, having the Stura on their right, the Doria on their left, and the convent of capuchins, called Notre

Notre Dame de la Campagne, in their center.

When prince Eugene drew near Turin, the duke of Orleans proposed to leave the intrenchments, and give him battle; and the proposal was approved by all the general officers, except Marfin, who, finding it difficult to maintain his opinion, produced an order from the French king, strictly prohibiting such a resolution.

On the seventh day of September the confederates advanced towards the intrenchments of the French, in eight columns, through a terrible fire from forty pieces of artillery, and were dtawn up in order of battle with-in half-cannon shot of the enemy. Then they marched forward to the charge with surprising resolution, and met with such a warm reception as seemed at first likely to stop their progress.

Prince Eugene, observing this check, drew his sword, and patting himself at the head of the battallions on the left, attacked the intrenchments, which he forced at the first assault. The duke of Savoy performed the same service in the center, and on the right near Luscingo. The horse advanced through the intervals of the foot, left for that purpose; and rushing in with incredible fury, completed the confusion of the ene-

my, who were routed on all hands, and fled with the utmost precipitation to the other side of the Po, while the duke of Savoy entered his capital in triumph.

The duke of Orleans behaved with great gallantry and courage ; and received several wounds in the action. Mareschal de Marfin was taken prisoner, his thigh being shattered with a ball, and died in a few hours after the amputation. Of the French army about seven thousand were killed upon the spot : three hundred officers and about eight thousand private men were taken, together with two hundred and fifty pieces of cannon, a hundred and eight mortars, seven thousand eight hundred bombs, thirty-two thousand hand-grenades, forty-eight thousand cannon-balls, four thousand chests of musket-bullets, eighty-six thousand barrels of gun-powder, all their tents and baggage, five thousand beasts of burden, ten thousand horses belonging to thirteen regiments of dragoons, and the mules of the commissary-general so richly laden, that this part of the booty alone was valued at three millions of livres.

The loss of the confederates did not amount to three thousand men killed or disabled in the action, besides about two thousand of the garrison of Turin, who had fallen

ten during the course of the siege. This was such a terrible blow to the interest of Lewis, that madame de Maintenon would not suffer him to be fully informed of the state of his affairs. He was only told that the duke of Orleans had raised the siege of Turin at the approach of prince Eugene ; but he knew not that his own army was defeated and ruined.

The spirits of the French were a little raised in consequence of an advantage gained, about this time, by the count de Medavi, who headed a body of their troops in the Mantuan territories. He surprized the prince of Hesse in the neighbourhood of Castiglione, and obliged him to retreat to the Adige with the loss of two thousand men.

The court of Versailles made a mighty noise about this petty victory, as if it had been sufficient to balance their signal defeat before Turin. But the emptiness of these pretences was soon apparent : the duke of Orleans retired into Dauphiné, while the French garrisons were, in a short time, expelled from all the places they possessed in Piedmont and Italy, except Cremona, Valenza, and the castle of Milan, which were blocked up by the confederates.

Besides the misfortunes, which the French suffered in Flanders and Italy, they were terribly alarmed on their sea-coasts by the scheme of an invasion from Britain, proposed by the marquis de Guiscard, who, influenced by a family disgust, had abandoned his country, and engaged in the service of the allies. He was raised to the rank of a lieutenant-general in the emperor's army, and came over to London, where he insinuated himself into the good graces of Henry St. John, and other persons of distinction. His scheme of invading France was approved by the ministry, and he was promoted to the command of a regiment of dragoons allotted for that purpose.

About eleven thousand men were embarked under the conduct of earl Rivers, with a large train of artillery; and the combined fleet, consisting of one hundred and fifty ships, and commanded by Sir Cloudesley Shovel, set sail from Plymouth on the thirteenth day of August. Next day they were driven into Torbay by contrary winds and there they held a council of war to concert their operations, when they discovered, that Guiscard's plan was altogether romantic, or, at least, built upon such a sandy foundation, as could not justify their attempting its execution.

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Guiscard, it seems, had formed the visionary design of restoring the civil and religious liberties of France; a scheme, he imagined, which the low condition of that kingdom, the general discontent that prevailed among the people, and the united power of the allies, would finally enable him to accomplish. With this view he repaired to the southern provinces of France, and established a correspondence with some persons of note, among the Camisars, who had taken up arms. But it appeared, when the project came at length to be examined, that he had not settled any plan for making a descent, or being joined by the malecontents upon the landing of the forces.

An account, therefore, of these circumstances, was immediately transmitted to the British ministry. How they came at first to approve of the project, could never be discovered; and they were now filled with the dreadful apprehensions of incurring the contempt, if not the resentment of the nation. An incident, however, had by this time happened, which, in a great measure, freed them from their present dilemma. Letters had arrived from the earl of Galway, soliciting succours with the most earnest importunity. The expedition to France was therefore postponed; and Sir Cloudesley

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Shovel was ordered to make the best of his way for Lisbon, there to take such measures as should be found to be necessary.

Guiscard, and his officers being accordingly set on shore, the fleet set sail with the first fair wind, and, in the latter end of October, arrived at Lisbon. On the twenty-eighth day of next month, the king of Portugal died, and his eldest son and successor, though but eighteen years of age, immediately assumed the administration of the government. Sir Cloudesley Shovel and earl Rivers, being pressed by letters from king Charles and the earl of Galway, failed to their assistance, on the second day of January; and, in the end of the month, arrived at Alicant, whence the earl of Rivers repaired to Valencia, to assist at a general council of war. The operations of the ensuing campaign being settled, and the army joined by the reinforcements from England, earl Rivers, disliking the country, returned with the admiral to Lisbon.

The Poles were at length freed from the presence of the king of Sweden, who, in the beginning of September, advanced suddenly through Lusatia into Saxony; and, in a short time, laid that whole electorate under contribution. Augustus, being thus reduced to the last extremity, and, despair-
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ing of ever being able to extricate himself from his present difficulties, resolved to obtain a peace on the Swede's own terms, and accordingly engaged in a secret treaty for this purpose. Mean while the Poles and Russians fell unexpectedly upon the Swedish forces at Kalish in Great-Poland; and by dint of superior numbers defeated them with great slaughter.

Augustus protested he had no concern in this attempt, and as a proof of sincerity, signed the treaty, by which he acknowledged Stanislaus as the true and rightful king of Poland, reserving to himself only the empty title of sovereign. The allies were by no means pleased to see Charles in the heart of Germany; and the French court did not fail to solicit his alliance: but he rejected all their offers with surprizing resolution. Then they implored his mediation for a peace: and he answered that he would interpose his good offices, whenever he should know that they would be agreeable to the members of the grand alliance.

Lewis, disappointed in this quarter, was obliged to have recourse to a more mortifying method of application. He employed the elector of Bavaria to write letters in his name to the duke of Marlborough, and the deputies of the States-General, containing
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proposals for opening a congress. He had already tampered with the Dutch in a formal memorial presented by the marquis D'Allegre. He likewise solicited the pope to interpose in his favour. He offered to cede either Spain and the West-Indies, or Milan Naples, and Sicily to king Charles: to give up a barrier to the Dutch in the Netherlands, and to indemnify the duke of Savoy for the ravages, which had been committed in his country.

In these proposals, however, his sincerity was suspected; and, in any event, the confederates could not be supposed willing to put up with the attainment, only of one half of that, which was considered as the original object of the war; namely, the recovery of the whole Spanish monarchy to the house of Austria. The proposals, therefore, were rejected; and the allies resolved to exert themselves with redoubled vigour in the ensuing campaign. The duke of Marlborough having had several conferences with the States-general, and settled a plan for continuing the Hessian troops in Italy, agreeable to the desire of the duke of Savoy, embarked for England, and arrived at London on the eighteenth day of November.

The attention of the public was now engrossed by the proceedings of the Scottish parlia-

parliament, which took into consideration the treaty of union, lately concluded between the commissioners of both kingdoms. On the third day of October, the duke of Queensberry, as high-commissioner, produced the queen's letter, importing, that she hoped the terms of the treaty would be acceptable to her parliament of Scotland : that an union had been long desired by both nations, and she should esteem it the greatest glory of her reign to have in now finally accomplished ; convinced, as she was, that it would contribute, more than any other circumstance, to the happiness and welfare of all her subjects : that an entire and perfect union would be a solid foundation of a lasting peace ; it would secure their religion, liberty and property, remove the animosities that prevailed among themselves, and the jealousies that subsisted between the two nations : that it would increase their strength, riches and commerce : that the whole island would thereby be joined in affection, and free from all apprehensions of different interests ; and would be enabled to resist all its enemies, support the Protestant interest everywhere, and maintain the liberties of Europe : that she was firmly resolved to maintain the church of Scotland, as by law established ; and they had now
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an opportunity to take such steps as might be necessary for its security after the union : that the support of their government and their own safety required, they should grant the necessary supplies for maintaining the forces, ships, and garrisons, until the parliament of Great-Britain should provide for these articles in the united kingdom : that the great success, with which God Almighty had blessed her arms, afforded the nearer prospect of a happy peace, with which they would enjoy the full advantages of the union : and that she hoped they would proceed with calmness and unanimity in deliberating on this great and weighty affair, of such consequence to the whole island of Great-Britain.

This letter having been enforced by two speeches, delivered by the duke of Queensberry, commissioner, and the earl of Seafield, lord-chancellor, the treaty of union was read, and ordered to be printed, together with the proceedings of the commissioners of both kingdoms, concerning that matter ; and then the parliament was prorogued.

At their next meeting it appeared that a strong party were formed against the union. This was composed of the dukes of Hamilton and Athol, the marquis of Annandale, the

the earls of Errol, Mareschal and Buchan, the lord Belhaven, Mr. Fletcher of Salton, and many other persons of weight and abilities.

The Jacobites, to a man, declared against the measure, conscious that, should it take effect, it would for ever extinguish all their hopes of effecting the restoration of the abdicated family. Even the Presbyterians seemed averse to the measure, from a groundless apprehension, that, on account of the little influence, which the Scots would have in the parliament of Great-Britain, their church would be exposed to the most imminent danger.

The treaty was supported by the dukes of Queensberry and Argyle, the earls of Montrose, Seafield, Stair, and many other persons of consequence and distinction; in a word, by every one who sincerely regarded, and really understood the true interest of his country. Both parties exerted themselves with the utmost zeal in order to carry their favourite points; and the debates were conducted with all that warmth and eagerness, which the importance of the subject could not fail to inspire.

In order to prove the imprudence, the danger, and the iniquity of such an union, it was alledged, that should this treaty take effect,

effect, the members of Scotland in the British parliament would bear so small a proportion to those of England, that it could not be expected that the former would ever be able to carry any point, that should be for the interest of Scotland, against so great a majority, who, though divided among themselves about party-disputes, would yet unite against the Scots, to whom they all bore a natural antipathy : that, in all nations, there are fundamentals which no power whatever can alter : that the rights and privileges of parliament being one of these fundamentals among the Scots, no parliament, nor any other power, could ever legally prohibit the meeting of parliaments, or deprive any of the three estates of its right of sitting or voting in parliament, or give up the rights and privileges of parliaments ; but that, by this treaty, the parliament of Scotland was entirely abrogated, its rights and privileges abolished, and those of the parliament of England substituted in their place : that, if the parliament of Scotland could alter their fundamentals, the British parliament might do the same ; and if so, what security had the Scots for any thing stipulated in the treaty of union, with respect either to the representatives of Scotland

land in that parliament, or any other privileges and immunities granted to Scotland? that, though the legislative power in parliament was regulated and determined by a majority of votes; yet the giving up the constitution, and the rights and privileges of the nation, was not subject to suffrage, being founded on dominion and property; and therefore could not be legally surrendered without the consent of every person, who had a right to elect, and to be represented in parliament: and that the obligation laid on the Scottish members to reside so long in London, in attendance on the British parliament, would drain Scotland of all its money, impoverish the members, and expose them to the temptation of being corrupted. "What!" said the duke of Hamilton, who conducted the debate, "shall we, in half an hour, give up what our forefathers maintained with their lives and fortunes for many ages? Are here none of the descendants of those worthy patriots, who defended the liberty of their country against all invaders; who assisted the great king, Robert Bruce, to restore the constitution and revenge the falsehood of England and usurpation of Baliol? Where are the Douglasses and Campbells? Where are the peers; where are

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“ the barons, once the bulwark of the nation ? Shall we yield up the sovereignty and independency of our country, when we are commanded by those we represent to preserve the same, and assured of their assistance to support us ? ”

In answer to these objections, it was urged, that the small proportion, which the Scottish would bear to the English members, could never be attended with those dreadful consequences, which had been so pathetically described ; few points, if any, could occur, in which the interests of Scotland would interfere with those of England ; their interests were, already, in a great measure, the same ; it was a principal intention of the union to render them invariably and for ever such ; nor would ever any endeavour to divide them, but those who had some interest to serve, different from that of their country ; and if such persons suffered by the decisions of a British parliament, they had no reason to complain ; they would have suffered, or, at least, they ought to have suffered, by the decisions of a Scottish parliament, as that kingdom was bound, even more than Great-Britain, to punish the perfidy, treachery, or injustice of her own subjects : that to assert the English bore a natural antipathy to the Scots, was a most cruel and invidious reflection.

reflection, contrary to truth, and refuted by daily experience, and could only be made with a view to excite animosities between the two nations, in order, perhaps, to attain some end, which could not be otherwise accomplished: that the union, instead of abolishing the parliament of Scotland, would rather establish it upon a more solid foundation, by incorporating it with the parliament of England, which could not, with any propriety, be said to be substituted in its place; the British parliament being substituted in the place of both; and, in this sense, indeed, the parliament of England, as well as that of Scotland, might be said to be abolished: that their fears, therefore, with regard to the conduct of the British parliament, as if it might, some time, subvert its own constitution, overturn the liberties of the nation, or violate the articles of the present treaty, were entirely groundless; that assembly, they might be assured, would never take any step prejudicial to the rights and privileges of the people, which they had hitherto defended, nor infringe the articles of the union, which they would make it their care religiously to observe: that the union, besides, would be attended with many positive advantages: it would for ever destroy all difference of interests between the

different parts of this island, which, while they remained under separate governments, must frequently have happened to interfere in their projects ; and, in all such cases, England, on account of her greater power and influence, must generally have gained the superiority : it would open to the nation a vast source of wealth, by accustoming the people, from the example of their English brethren, to apply more eagerly than they had as yet done, to a commercial and mercantile life ; to their long and shameful neglect of which, rather than to the barrenness of their soil, or the severity of their climate, their general poverty had hitherto been owing : and it would effectually secure the civil and religious liberties of the nation, by cutting off from a Popish pretender, all hopes of ever being able to ascend the throne of this kingdom.

Many other arguments were advanced on both sides the question ; but they were of no further use than to display the learning, or ingenuity of the speakers. The two parties had already taken their resolution ; and from that they were not to be diverted by any reasons, however solid and convincing. In point of strength they were nearly equal ; and it was difficult to foresee what would be the issue ; when an accident happened, that
turned

turned the balance, and decided the controversy.

Beside the two parties, which then divided the nation, the Jacobites, and Revolutioners attached to the court, there was a third class, known by the name of the *squadrone volante*, or flying squadron, and headed by the marquis of Tweeddale, the earls of Rothes, Roxburgh, Haddington, and Marchmont, who disclaimed all connexion with either of the other parties, and pretended to act solely from a regard to the interest of their country. In political principles, they were nearly the same with the Revolutioners; but they had been so much disgusted with the measures of the court, that they were likely to oppose any scheme, which proceeded from that quarter.

Both parties solicited their interest with the most pressing importunity; conscious, that to whatever side they should turn, they would confer a manifest superiority. But the *squadrone* still kept aloof, and observed a most profound silence; nor would they declare their sentiments, until it was no longer possible to conceal them. The house dividing about a particular article of the treaty, the *squadrone* were obliged to throw off the mask; when, to their immortal honour, they nobly sacrificed all private considerations to the

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good of their country, and not only declared for the union, but likewise promoted it with the utmost zeal and alacrity.

The Jacobites, finding themselves overpowered, raised a most terrible clamour all over the nation. They procured addresses from a number of counties, boroughs and parishes, protesting against the union. They instigated the populace to rise in arms, and to burn the articles of the treaty, in the market-place of Dumfries. They even threatened to advance to Edinburgh, at the head of eight thousand men, and effect a dissolution of the parliament.

The commissioner, alarmed at these furious proceedings, wrote a letter to the lord-treasurer Godolphin, representing the necessity of a short adjournment, until he should be able to allay the ferment that prevailed among the people. But Godolphin imagined, that such a concession would encourage the hopes, and elevate the pride of the Jacobites, and, perhaps, in the end, defeat the whole project. He therefore insisted on the matter's being brought to an immediate conclusion: and, accordingly, in a few days, the articles of the treaty were approved and ratified, with some small variation.

Of

Of all those, who had opposed the treaty, the only persons, on whom the parliament thought proper to bestow any notice, were the Presbyterian clergy, who, considering their firm attachment to the government, and the great influence they possessed with the people, deserved the highest regard. In order to remove those groundless apprehensions, with which they had been alarmed, an article was now inserted in the treaty, declaring the Presbyterian doctrine to be the only government of the church of Scotland, unalterable in all succeeding times, and a fundamental article of the union.

End of the THIRTY-FIRST VOLUME.

